

*Hoage*

Pioneer Iowa Lawmakers Pay  
Tribute to Early Statesmen

**THE  
ANNALS OF IOWA**

ESTABLISHED 1863

Third Series

Vol. XXIX, No. 1

JULY, 1947

PUBLISHED QUARTERLY BY THE  
**IOWA STATE DEPARTMENT OF HISTORY  
AND ARCHIVES**  
DES MOINES, IOWA

# Iowa State Department of History and Archives

---

An institution of the State of Iowa, located at the seat of government, established as a department of the State in 1892, and administered by a Curator elected by a Board of Trustees composed of the Governor of the State, a Justice of the Iowa Supreme Court and the Superintendent of Public Instruction. It consists of the following divisions:

The Iowa Historical and Genealogical Library

The Public Archives of the State of Iowa

The Portrait Gallery of Iowa, exhibiting oil portraits of the outstanding men and women who have contributed to Iowa culture and progress

The War History Division—Gold Star Iowans

The Manuscript Collection including papers, addresses, documents and correspondence of eminent Iowans, supplying unrecorded chapters in state history

The Museum Division: Indian, geology, pioneer life, transportation, and natural history collections and exhibits

THE ANNALS OF IOWA, *a Magazine of History*

The Newspaper Division—Files of Iowa Papers from territorial days to the present

In the interest of preserving Iowa history, the Department, as an official and permanent institution of the state, solicits the presentation, to its Manuscript Collection, of letters, diaries, family histories, and general manuscripts about Iowans and the area of which the state is a geographical part.

---

## THE ANNALS OF IOWA

In the more than half a century THE ANNALS OF IOWA has been published, it has been a repository for, and made available to the people generally, a vast amount of interesting and accurate data on the history of the State that otherwise would not have been accessible. The securing of material, and editing and supervising its publication, is a part of the immediate task of carrying on the work of the Department in harmony with its well established traditions.

The Editor welcomes for publication the contribution of the reminiscences, the writings, the biographies, observations and studies of those familiar with Iowa people and with important and significant events and movements in the state's history.

# ANNALS OF IOWA

A MAGAZINE OF HISTORY

ESTABLISHED 1863

Third Series

Vol. XXIX, No. 1

JULY, 1947

---

PUBLISHED QUARTERLY BY  
IOWA STATE DEPARTMENT OF HISTORY  
AND ARCHIVES

DES MOINES, IOWA

THE ANNALS OF IOWA is issued in January, April, July and October at Des Moines. Subscription Price \$1.00 Per Year; Three Years, \$2.50 When Paid in Advance; Single Copies, 25 cents.

All communications concerning contributed articles or subscriptions should be addressed to the Editor.

Entered as second class matter July 8, 1920, at the post office at Des Moines, Iowa, under the Act of August 24, 1912.



# ANNALS OF IOWA

EMORY H. ENGLISH, Editor

---

## CONTENTS

JULY, 1947

	Pages
History of Coal Mining in Iowa STATE MINE INSPECTOR'S REPORT.....	61-63
Honor Judge Richard F. Mitchell INTERSTATE COMMISSIONER'S JOURNAL .....	64
Iowa and the Tariff By ORA WILLIAMS.....	47-56
Iowa Measures the Centuries.....	57-60
Mississippi Navigation in 1844.....	56
Navigation of the Des Moines BLOOMINGTON HERALD .....	63
Pioneer Lawmakers in Session By EMORY H. ENGLISH, SECRETARY.....	3-45
Reversals in Land Grant Rulings By JACOB E. REITZENSTEIN.....	65-66
To Black Hawk—A Poem By GRACE NOLL SMITH.....	46
EDITORIAL—	
Centenarians "Carry On".....	70
Foresaw Coming of Civil War.....	69
Iowa's Last Civil War Soldier.....	67-89
Book Review—"But Look, The Morn," Kantor .....	71-72
Notable Deaths .....	73-79
ILLUSTRATION—	
Israel A. Smith, President Pioneer Lawmakers of Iowa.....	Opp. 3



Digitized by the Internet Archive  
in 2024



ISRAEL A. SMITH  
President Pioneer Lawmakers Association of Iowa  
1943—1947



# ANNALS OF IOWA

ESTABLISHED 1863

---

VOL. XXIX, No. 1

DES MOINES, JULY, 1947

THIRD SERIES

---

## PIONEER LAWMAKERS IN SESSION

By EMORY H. ENGLISH, Secretary

The Twenty-ninth biennial session of the Pioneer Lawmakers Association of Iowa convened in the portrait gallery of the State Historical building, at Des Moines, March 12, 1947, at 9:30 A. M., with President Israel A. Smith presiding. He served in the House of Representatives in the Thirty-fourth General Assembly in 1911 and now resides at Independence, Missouri, being the president of The Reorganized Church of Jesus Christ of Latter Day Saints.

The invocation was given by the Rev. Tom Fogelsong, pastor of the Capitol Hill Christian church, as follows:

"Vouchsafe Thy blessing, dear Lord, upon this organization, this institution, and the efforts of this day. We pray Thee, Lord, that the very word "Pioneer" may awaken a memory of association and give buoyancy to our spirit for a better statehood and for a better way of life, and Thy blessing, Lord, upon all the things that point for good. We pray in Thy name. Amen."

The secretary read a list of those who by reason of their official service twenty or more years ago at this time had become eligible to membership in the association, introducing those of the group who were present. The total members present was about sixty, with a group of guests in addition.

The president suggested that respect be paid to those members who had died since the sessions of 1943, no meeting of the association having been held in 1945 on

account of war restrictions governing travel and meetings.

President SMITH: Mr. English, our secretary, has a list which he now will read of those members recorded as having died during the years since our last meeting—probably not entirely up-to-date, because after the notice came of this meeting I received a card notifying me of the death of a member. Governor Blue will be here at 9:45. We will try to get through with some preliminaries in the meantime.

Secretary ENGLISH: It is difficult to keep a complete and accurate record of the membership of this association, because like other people, we move about, and do not always continue the same postoffice address year after year. A large number of former Iowa legislators pass away each year. The list today is longer than that read of members newly eligible, and includes several whose service dates back to early sessions. One, William J. Stewart of Polk county, was a representative in the Twenty-third General Assembly, his service beginning in 1890, antedating that of any other member here listed or any still living. The list of those who have died during the four year period includes:

LEGISLATIVE MEMBERS DECEASED SINCE LAST MEETING  
(Date given is Year of First Service)

Name	County	Sessions Served	First Year
William J. Stewart.....	Polk	R 23	1890
Henry T. Saberson.....	Buena Vista	R 24, 25,	1892
Olaf M. Olson.....	Webster	S 24, 25,	1892
William H. Klemme.....	Winneshiek	R 25, 26, 27	1894
		S 42, 43, 44	
John L. Wilson, Sr.....	Clinton	R 25, 26, 26x	1894
		S 27, 28, 29, 30,	
		31, 32, 32x, 33,	
		34, 35	
Frederick O. Ellison.....	Jones	R 25	1894
		S 26, 26x, 27	
Chas. F. Johnston.....	Franklin	R 26, 26x, 27	1896
		S 41, 42, 42x	
Claude R. Porter.....	Appanoose	R 26, 26x, 27	1896
		S 28, 29	



# PIONEER LAWMAKERS OF IOWA

5

Name	County	Sessions Served	First Year
Rush G. Clark.....	Hamilton	R 27, 28	1898
John P. Cruikshank.....	Lee	R 28, 29	1900
Thos. A. Way.....	Hancock	R 28	1900
Gardner Cowles .....	Kossuth	R 28, 29	1900
A. W. Hamman.....	Scott	R 29	1902
M. H. Calderwood.....	Scott	R 29	1902
Byron W. Newberry.....	Clayton	S 30, 31, 32, 32x, 37, 38, 39, 40, 40x	1904
John H. Jackson.....	Woodbury	S 30, 31, 32, 32x	1904
John C. Bonwell.....	Audubon	R 32, 32x, 33	1907
John T. Clarkson.....	Monroe	S 33, 34, 35, 36	1909
H. H. Boettger.....	Scott	R 33, 34, 35	1909
Fred H. Hunter.....	Polk	R 33	1909
John M. Brockway.....	Louisa	R 34, 35	1911
Frank S. Shankland.....	Polk	R 34, 35	1911
Arthur G. Pickford.....	Cerro Gordo	R 34, 35	1911
Joseph R. Frailey.....	Lee	S 36, 37, 38, 39 42, 42x, 43, 44, 45, 45x	1915
Peter J. Klinker.....	Crawford	R 36, 37	1915
Fremont E. Shortess.....	Tama	R 36, 37	1915
Chester W. Whitmore.....	Wapello	S 36, 37, 38, 39	1915
Charles C. Helmer.....	Carroll	S 36, 37	1915
Seth B. Durant.....	Hancock	R 36, 44, 45, 45x	1915
Jas. E. Craven.....	Jasper	R 36, 44, 45, 46, 47	1915
Addison M. Parker.....	Polk	S 36, 37, 38, 39	1915
Henry Edgington.....	Monona	R 37, 38, 39	1917
John K. Hale.....	Jones	R 36 S 37, 38, 39, 40, 40x	1917
H. S. Van Alstine.....	Pocahontas	S 37, 38, 39	1917
C. B. Santee.....	Blackhawk	R 37, 38, 39	1917
J. S. Garber.....	Floyd	R 38, 39, 40, 40x	1919
B. M. Stoddard.....	Woodbury	S 38, 39, 40, 40x, 41, 42, 42x, 43, 44	1919
Charles L. Gunderson.....	Pocahontas	R 38, 39	1919
H. A. Darting.....	Harrison	S 39, 40, 40x, 41, 42, 42x	1921
Daniel A. Emery.....	Wapello	R 39	1921
A. V. Brady.....	O'Brien	R 39, 40, 40x	1921
Warren A. Caldwell.....	Mahaska	S 39, 40, 40x	1921
Lee O. Wolfe.....	Kossuth	R 39	1921

Name	County	Session Served	First Year
John M. Ramsey.....	Butler	R 39, 40, 40x S 41, 42, 42x	1921
Charles A. Hollis.....	Blackhawk	R 40, 40x, 41, 42, 42x, 43, 44	1923
Charles Rhinehart .....	Dallas	R 40, 40x, 41	1923
Ward B. Smith.....	Chickasaw	R 40, 40x, 41	1923
W. E. G. Saunders.....	Palo Alto	R 40, 40x, 41, 42, 42x	1923
John G. Hempel.....	Clayton	R 40, 40x, 41, 42, 42x	1923
E. E. Cavanaugh.....	Webster	S 41, 42, 42x	1924
John C. Bauer.....	Washington	R 41, 42, 42x	1925
F. M. Harrison.....	Clarke	R 41, 42, 42x	1925
R. J. Higgins.....	Greene	R 41	1925

## OTHER OFFICIAL MEMBERS DECEASED

Name	Residence	Position	First Year
George E. Delevan.....	Jones	Fish Comm'r	1894
Clifford P. Smith.....	Mason City	District Judge	1900
Frank P. Woods .....	Estherville	U. S. Repr.	1908
David E. Hadden.....	Alta	Phar. Comm.	1909
Edw. P. Schoentgen.....	Pottawattamie	Bd. of Ed.	1909
Burgess W. Garrett.....	Des Moines	Sup. Court Clk.	1910
Clarence Nichols .....	Vinton	District Judge	1910
George F. Kay.....	Iowa City	St. Geologist	1911
John W. Kintzinger.....	Dubuque	District Judge	1911
Christian W. Ramseyer.....	Bloomfield	U. S. Repr.	1915
Homer A. Fuller.....	Mount Ayr	District Judge	1917
Wm. H. Gemmill.....	Dallas Center	Sec. Bd. of Ed.	1917
Henry F. Wagner.....	Sigourney	District Judge	1919
Smith W. Brookhart.....	Washington	U. S. Senator	1922
W. L. Eichendorf.....	McGregor	District Judge	1926

Secretary ENGLISH: It is important that we have a correct record, and if any present know of any other names that should appear in the necrology report they will be included.

The president suggests that I make particular mention of the death of our Past President H. S. VanAlstine, of Gilmore City, who presided at the meeting in 1941. He was a vigorous individual when at the last meeting and seemed to be one of the last we would think would

go; but his was one of the early deaths following the meeting four years ago.

President SMITH: With several hundred ex-members of the legislature it is to be expected that there will be a large list of those who have passed on from year to year. There are a large number in the list read that we mourn as personal acquaintances. Since we have lost an ex-president, with your indulgence the chair will appoint Judge Scott and Mr. Anderson to prepare resolutions with respect to the passing of Past President VanAlstine, to be presented later in the sessions.

In the meantime, until Governor Blue arrives, Mr. English will read some of the letters from those who are not able to be here today.

#### LETTERS FROM MEMBERS

Secretary ENGLISH: There are several of more especial interest, being more than simple regrets. One is from Senator Titus of Muscatine, who is one of the oldest living members of the association. He says:

I do not think the association ever had a meeting that I wished to attend as much as this one. While I am in my usual good health and come to the office everyday except in the severe cold weather, some recent dental work not completed will interfere, and I will not be there. I had hoped to ask for the privilege of telling the joint session some historical facts which I think they ought to know and I am quite sure they would be interested in, but I guess I will have to wait until some other meeting. I am now nearer ninety-one than ninety. My birthday will be the 19th of May. My physician tells me if I watch my step I may reach the century point. That makes me feel quite sure I can attend the next meeting. (Senator Titus died at his home in Muscatine, April 9, 1947. His obituary appears in the Notable Deaths section in this magazine.—Secretary.)

Please express my good wishes to the members and tell them I hope to meet them at the next session. What I had intended to tell the members of the joint session of the legislature are some things that no living man knows except myself. Some of it is rather humorous, but important.

Here also is a portion of a letter from J. O. Kasa, of Wallingford, saying:



It would have been a pleasure to meet with you folks at this time and show what a tough, long-lived guy can do. But it will be impossible. As near as I know, I am the only living member of the Twenty-fourth General assembly (1892) . . . . A meeting of any kind is not of much value, only as to what I can see, as I am nearly totally deaf. It would have been a pleasure to give the gathering in the General Assembly House a little talk. . . .

And one from Wm. G. Kerr of Grundy Center, reminisces a little, saying:

I have looked forward to this meeting this year with pleasure and satisfaction . . . . But I am not sure that I can be there. I judge you find there are not very many alive who will be present at this meeting who served with us forty-seven and forty-five years ago. It was forty-seven years ago this winter when I was a member of the Twenty-eighth, and then forty-five years ago in the twenty-ninth when I served with you. We have long been friends, I voted for Allison's return in 1902, as you did, and also for J. P. Dolliver, who had been appointed U. S. senator by Governor Shaw. I voted for John H. Gear to succeed himself as senator after he had defeated Cummins in the caucus, and then Cummins only a private citizen. But in January, 1902, Cummins became governor.

I consider it was a special privilege for me to serve through two sessions of the legislature with George W. Clarke, who later became an honored governor. He was a fine type of a man, and then there was H. W. Byers of like stature. There were many others, and to have come in contact with them was an opportunity for appreciating values.

Another good letter comes from Ora Williams, a former secretary of this organization. Since retiring from the Curatorship of the State Historical department he has been residing at Decatur, Georgia, with one of his daughters, but I apprehend is living many of his days in Iowa over again in pleasant reflections. He says:

The Pioneer Lawmakers Association of Iowa has been for more than fifty years the sparkhead of a sincere movement looking to the preservation of the basic materials of Iowa History. To this association, more than any other, Iowa owes its beautiful Historical building with its priceless collection of Iowana. The association should be kept to a high standard and its activities be continued for the good of all.

It was my duty as a local reporter to make a news story of the first meeting, and I have never slackened my interest in its work.

The zeal and enthusiam of the founders has carried over into the years.

Other letters in shorter expression voiced regret of the inability of the writers to be present at this meeting.

President SMITH: I had the pleasure of visiting Senator George A. Wilson three weeks ago in his office in Washington. He was mindful of this meeting which was about to be held, and said for me to "tell them that there is an old fellow down here that would like to be there."

Senator RAY P. SCOTT: Just for a minute and before you proceed, and before you close the greetings, a word from Senator Van Law of Marshalltown. I saw him a couple of days ago and he told me to be sure to bring his best regards to those in this meeting who knew him. I fear that the senator is upon his death bed. He is not expected to survive long. But he remembered that this occasion was to be in a few days and he asked me to bring a greeting from him to those who would remember him, and I am very glad to do so.—Senator Van Law died at his home in Marshalltown, April 20, 1947. His obituary appears in the Notable Deaths section of this magazine.—Secretary.)

President SMITH: The chair now appoints the following committee on nominations: Senator Henry L. Adams, Senator Leslie E. Francis and Representative Frank M. Hanson.

#### ADDRESS BY GOVERNOR BLUE

The president named a committee consisting of Senators Chas. F. Clark and John M. Lindley to escort Gov. Robert D. Blue to the speaker's station, who was presented to the meeting by President Smith. The governor addressed the meeting as follows:

Gentlemen, it is a pleasure to be here this morning. Before I came over my wife said, "You are almost a pioneer lawmaker yourself," and I guess that that is rapidly becoming true, because

it won't be many more years before I shall have the privilege of joining your distinguished body.

It is a great privilege to be here and to greet you, and in the few words that I have to say to you I would like to point out one or two things that perhaps we all might be thinking just a little bit more about than we have been.

In every man's life and in every nation's life there always come periods of stress and strain and of particular importance, where men as well as nations determine the course which they shall follow. We have had some of those periods in the history of this nation, such as the Revolutionary war, the War of 1812, the Civil war, the Spanish-American war, and of course this last World war.

Today not only is the nation trying to map out for itself a new course to follow, but every local community, every state, and the world as a whole is finding itself in the position that it must reconsider the relationships which have heretofore existed, and to adapt itself to these new conditions. Whether we like it or not, here in America today we find ourselves more or less in the position of a receiver or a trustee for modern civilization, a civilization that is more or less bankrupt. It is financially bankrupt, economically bankrupt; it is socially bankrupt, it is morally bankrupt, it is politically bankrupt. We are at the crossroads where men are going to determine what the philosophy of government is that is going to prevail here in this world of ours in the generations that lie ahead.

#### SELF GOVERNMENT ON DOWN GRADE

For the last seventeen, eighteen, yes, more than twenty years, the cause of representative self-government has been on the down grade throughout the world. In Russia after the revolution representative self-government failed. In Germany after the war a republic was set up, and it became politically and socially and economically bankrupt and failed. Before this last World war broke out self-government in France was on the decline—the inability of men to agree, for the little factions to get together and iron out their differences.

The growth of Socialism and Communism were to a very substantial degree responsible for the failure of France to defend itself against the aggression of Germany. In Spain the republic failed and a dictator was set up. After less than a hundred years of experience representative self-government failed in Italy and Fascism became the style there, became the father of all the dictatorial governments that have spread throughout the world. In Japan self-government failed and a military clique took over the



administration of civil affairs and plunged that country into war. In China dissensions between the Communists and the other groups led to civil war.

In England following this war there has been a steady decline of representative self-government and a definite drift toward Socialism. And here in the United States of America following the economic depression which we suffered along with the rest of the nations in the world there has been a steady decline of self-government and individual responsibility on the part of individual citizens and local communities until today men individually and local government individually are too often looking to the state and the nation for solution of financial problems and other problems which beset them.

#### ECONOMIC ILLS FOLLOW UNBALANCED BUDGET

So, I say to you today, we stand at the crossroads of determination, and at the basis of this problem we find the question of financial structure involved. Looking to Italy, which became the first of the nations to turn to the Fascist form of government, we find that a man by the name of Depretis became the philosopher who sold the people of that country and the leaders of that country upon the philosophy of borrowing and spending, and for forty-six out of the sixty-six years immediately preceding the rise of Mussolini to power Italy operated upon an unbalanced budget.

For you gentlemen who want to study the story, I recommend that you get the book by John Flynn, "As We Go Marching Along," and pursue the story of Italy's financial wreck.

And if you will look toward Germany and reflect for a moment upon what happened there. If you will recall, it was the failure of the Austrian bank which plunged Europe into economic chaos, as the failures of the banks here in America plunged America into economic chaos.

You will remember that the then president of the United States called an economic conference in London. I think you will recall the election in 1932 when there was a change of administration in the United States government at that critical time and the fact that the president-elect refused to confer with the acting president with reference to the economic crisis which confronted the United States and the world, refused to endorse or help the London Economic Conference, scuttled it, went out on a sailing boat and said "That's not my baby," and within sixty days Hitler rose to power in Germany, to recall that the economic question is of paramount importance in restoring order to this world.

## CRISIS CONFRONTING STATE

Now it is of importance here in the United States in a major way, and it is of particular importance over on the hill in the legislation that is now being considered there. For just a moment I would like to outline the crisis which I believe is confronting state and local government here in America in this year 1947.

A year ago—a year ago in April, as I recall it—the Secretary of Commerce of the United States of America issued a statement to the effect that wages could be raised eighteen per cent without increasing prices—a statement which he later repudiated and attributed as having come from a hireling in his department. Nevertheless, his philosophy was adopted by the United States government as a guide in the settling of the economic disputes then current in this nation.

With the adoption of that philosophy of economy the financial structure of every state, every county, every city, every school district in America was weakened and undermined, and in so weakening and undermining the financial structure of local government, local government itself was undermined. It was undermined because the resultant increase in the price of both labor and goods inflated the cost of every unit of local government; and it thus became particularly important to the units of government below the state level because those units of government are dependent almost entirely upon property taxes for their support. Property taxes are comparatively an inelastic sort of revenue.

What has happened? A year ago this month, almost to the day, I was in California and visited with the Mayor of Los Angeles. The city of Los Angeles then was facing stringent financial conditions and was seeking for new sources of revenue. The result of this economic action has been that every major city in America has been placed in economic distress. They are turning to city income taxes, wheel taxes, occupational taxes, cigarette taxes, business taxes, sales taxes, liquor taxes of all kinds with which to secure sufficient revenue to carry on the services and functions which local cities furnish to their citizenry.

What has been the net result? Throughout the nation, because of the tremendous increase in the wages of labor, the white collar workers, including those who work for cities and county governments and school districts, have found themselves placed between an economic pincers to a degree that many of them found it necessary to leave the employ of local government and seek employ in industry. This brought on a crisis in education, and today throughout America school districts are clamoring for additional funds with which to carry on education.

## THE PICTURE IN IOWA

What is happening in Iowa? This is what is happening in Iowa. This is the picture in Iowa. Two years ago your legislature saw the impending crisis. They levied an additional gasoline tax and divided it between the counties and the cities—units of government that were dependent upon property taxes for support. They recognized the problem in your school districts and they gave to them additional support for the operation of schools. They set up a Tax Study committee to study the problems of the support of local government, and that committee made an exhaustive study and report to this session of the legislature.

Now this present current session of the legislature, realizing the financial distress which continues in local units of government, is struggling to meet and to solve that problem by considering such legislation as additional aid to cities and towns. Some of that has already been passed by the way of giving cities and towns a percentage of the receipts from the sale of hard liquor. It has been recognized in another way by the passing through the house a bill refunding to cities and towns up to twenty-five mills the amount of military exemptions. It has been recognized by the passage in the senate of the county assessor bill, recognizing that a more uniform and a more equitable means of assessment would raise more money for local units of government and recognizing the fact that if the state of Iowa were to enter into the field of subsidizing local governments on a large scale that there would have to be equality of assessment, especially in view of the experience of the last two years resulting from the supplemental aid given schools, where one county, Ida county, received as little as \$41.78 in supplemental aid given to schools, while another county, Pottawattamie county, received in excess of \$61,000 supplemental aid for schools. That is behind the interest of this legislature and behind the recommendation of the Tax Study committee for a county assessor bill.

The economic question is likewise behind the recommendations for increased state aid for school districts. In other words, gentlemen, we have here in Iowa and we have in the nation—yes we have in the world, an economic problem which must be met and be solved. The budget of the United States of America must be balanced in order to bring solvency to local government, and local government on the county, the city level and the school district level must have aid or the burden of taxation through the property tax will become greater than can be borne.

So as you meet here as Pioneer Lawmakers the men who represent the state of Iowa today in the House of Representatives and



in the Senate are struggling with difficult economic problems as a result of the first World war and as a result of the depression following, and of this World war. The questions that they face are of major importance and of tremendous difficulty. I am sure that they will be happy to pause in the midst of their deliberations, difficult as they are, to greet you and to visit with you and to have your advice as they meet in one of the most important sessions of the Iowa legislature in the history of this state.

President SMITH: Thank you, Governor, for taking time out from your urgent business in the State House to make these remarks to us.

We feel it is a pleasure to come back here from time to time and meet in what I feel impelled to call "classic shades" and renew old associations, so close to the scene of our labors so many years ago—labors that are rapidly receding into the silent past.

There is a state song of Texas that starts, "The Eyes of Texas Are Upon You." So, when we sit here I am impressed that the eyes of noble men of Iowa are upon us. And, Governor, I hear that you have almost a state song in Iowa which is getting quite popular known as "Iowa Blues."

I think that as the representative and spokesman for the hour of this association, that to you, Governor Blue, as the chief executive of the state I can pledge our affections and our allegiance to the people, the incidents and traditions of this great state. Thank you, Governor.

#### THE PRESIDENT'S ADDRESS

President SMITH: I was very much surprised when the nominating committee brought in my name for president four years ago. As I said at the time, it was something that I had not even dreamed of. But all my associations up here have been so pleasant I assumed that I could probably carry on after a fashion.

We now come to a place where I am supposed to take the laboring oar. Perhaps one should have a great deal of temerity to come before a group of Iowans—one to come from another state—and talk to you about affairs most

intimately connected with this other state, and I am wondering if I can be successful in holding your interest. I will try to expedite matters as much as possible.

#### THE MAKING OF A MODERN CONSTITUTION

Within a few days after you honored me by electing me president of this association in 1943, I was chosen a delegate to the Missouri Constitutional Convention, which the people of Missouri in 1942 said should be held. The method of securing such delegates in Missouri is as follows: One delegate is nominated by each of the two major political parties in each of the thirty-four senatorial districts of the state and fifteen are selected at large, making in all eighty-three delegates. By an agreement between the state organizations, the fifteen at large were divided eight and seven politically, competition was thus eliminated, and when the election was held on April 6, 1943, I found myself duly elected to the convention, the Republican member from the Fifth Senatorial district. My colleague, the Democrat member, was a distinguished Missourian, Major General Edward M. Stayton, one of the military heroes of Missouri, a resident also of Independence. It happened that I was the first delegate to address the chair, when Secretary of State Brown, who organized the convention, called for a temporary president, and I got the General elected by acclamation. And on the last day I was called to the chair when the president of the convention attached his, the first signature to the perfected document. I trust you will pardon this bit of egotism.

Two years ago, when it was thought that we might meet during the session of the 1945 General Assembly, because I had so recently served in the Missouri Constitutional Convention, it was suggested that I present to this association something connected with that experience. After the lapse of two years, however, when my experience was not so fresh in memory, I entertained the idea of addressing you on a wholly unrelated subject, and had made some preparation for it, when I received a copy of today's program and found that our good friend, Emory English, had committed me to the proposition that I was to talk to you about the "Making of a Modern Constitution."

I was happy indeed to have had a part in the drafting of a new basic law for my home state. I would not claim that what we produced was either a perfect instrument or the most modern, in the light of what many idealistic gentlemen have proposed as a "model" constitution.

When the delegates assembled in September of 1943 there was much talk about "streamlining" the constitution then in force, and

I believe we did succeed in "streamlining" it in many respects; we made one major achievement at least in that the new constitution is more than eleven thousand words shorter than the old one, a reduction of thirty-five per cent.

Under the old constitution of Missouri there was a provision—which is included in the new one—that the people of the state should, every twenty years, vote on the question of whether a constitutional convention should be held. In 1920 the citizens of Missouri approved the holding of a convention. It met and, after almost two years, submitted twenty-one amendments to the old constitution. The people accepted five and rejected sixteen. Therefore it was generally conceded that that convention was a failure. This experience created a fear that we, too, might prove to be unprofitable servants. Consequently there may have been some "psychology" in the proposal that we submit what we had to offer as one complete and whole constitution so that it would be incumbent upon the voters to accept all or reject all. This we did. Our judgment was vindicated, because our work was approved by a vote of more than two to one. My colleague, General Stayton, and I carried our own senatorial district by a vote of five to one.

The convention met on September 21, 1943. We adjourned sine die on September 29, 1944. During the first two months there were presented 377 proposals which were referred to various committees, of which there were twenty. Two months or more were devoted to the holding of public hearings and after that to committee meetings until each was prepared to take action, and this was done in the nature of a committee file in which the results of all proposals considered were crystalized or consolidated or rejected.

Then began the matter of the perfection of our files. Each committee chairman handled his file on the floor of the convention and paragraph by paragraph the report of the committee was considered and amended and finally whipped into shape. Then the file went to the committee on phraseology for improvement as to verbiage and arrangement. It was then returned to the convention for a second reading, at which time final amendments could be considered and acted upon; but after that it was very difficult to have any change and the files were finally passed to a third reading, and after all files had passed this stage the document as a whole was presented and voted upon.

There was a striking unanimity in the minds of the delegates, for upon final vote, only four of the eighty-three delegates voted against the document, and only a few actively opposed the adoption when the constitution was submitted to the voters on the 27th of February, 1945.



## DISTINCTIVE FEATURES OUTLINED

I shall briefly cover some of the distinctive features of the new constitution which went into effect on July 1, 1945. Incidentally we threw a tremendous lot of work on the last legislature to implement the statutes of the state to conform to the new constitution. It was in session twenty-one months.

The old article on the bill of rights we considered historic and excellent and we made but few changes. All discriminations against women have been removed, assuring them equal civil and political rights with men; provisions for protecting freedom of speech and of the press have been extended to include the radio; the right of employees to organize and bargain collectively is recognized. (One of the delegates was the state president of the American Federation of Labor.)

There was a strong movement to convert the Legislature to the one-house plan. This was rejected, largely on the theory that the county—and we have 114 of them—has always been the unit of representation in the legislature. Every county has always had at least one member, and a unicameral legislature could hardly be arranged to give each county a member.

We did provide restrictions on the conduct of legislation: One-third of the members of either house may at any time take a bill from a committee for consideration by the house itself. Each committee is required to keep a public record indicating how each member voted on every bill.

If a senator or representative accepts any lucrative employment or office under the United States, the state, or any municipality, he thereby vacates his office.

The number of petitioners required to initiate a Constitutional Amendment was increased from five to eight per cent. This was done because the state of Missouri had been put to great expense to vote on what might be called fanatical proposals; by increasing the number of required signatures, proposals not justifying the expense would likely fail.

The state had a provision for senatorial redistricting, but the question being political, the legislature had refused to act for forty years; no redistricting had been done during that time. Consequently there came about a very great disproportion of population of the various districts. This was overcome by providing a bipartisan commission which was required within a certain time to redistrict the state. Upon failure to do so, all senators would be chosen at large. This brought prompt action.

The convention struggled for some days with the matter of fixing uniform interest rates to control the evils of small loan companies.

The governor was given power to allocate each of the some seventy then existing boards and bureaus among fourteen departments.

The merit system was applied to employees in all state hospitals and penal institutions.

One of the most practical things done by us was the provision for a department of revenue. State taxes, licenses, and fees had been heretofore collected by a dozen different agencies. It is estimated that there will be a saving of a half million dollars a year as a result of this consolidation.

Provision is made that all revenues derived from highway users must be devoted to the construction and maintenance of state highways. State funds may now be used in the continuation of state and federal highways through incorporated cities and towns.

One unique provision was incorporated: Under the right of eminent domain, only the land or area actually used could be taken. We provided for "excess condemnation" by which the state can control the use of adjoining and contiguous tracts, thus preventing any private use that would destroy the beauty or usefulness of the project. It also made possible the taking of land for vistas or view purposes—for parks and scenic drives—highly desirable in our picturesque and romantic Ozark and park areas.

I was chairman of the committee on Public Health and Public Welfare and Federal Relations. I considered it quite an honor to be made chairman of a committee of such importance. Up until this time the constitution of Missouri had never had as much as one line with respect to public health and public welfare, although the supreme court had held to be constitutional many statutes under the general welfare clause of the bill of rights. Eminent lawyers of the convention threatened to thwart my plans; but we were successful, however, in perfecting a short and concise file containing a mandate that the legislature create a Department of Public Health and Public Welfare. At this time, this department so created by the legislature under the provision of the constitution, from the standpoint of service and amount of money expended, is the largest department of our state government.

Under one of the sections of our file we took all industrial and training schools, hitherto classed as "penal" institutions out from under that classification and placed them under the head of "educational" institutions under a bi-partisan board with instructors and employees operating under the merit system. A commitment to such does not make a "criminal record."

#### CORRECTS ABUSES OF JUDICIAL SYSTEM

In 1940 the people, by initiative, had secured the passage of a constitutional amendment intended to correct some of the abuses

with respect to our judicial system. In counties where St. Louis, Kansas City, St. Joseph and Springfield are located there had been an abuse by the appointing powers, and very frequently, especially in Kansas City and St. Louis, judges were appointed to fill vacancies—and through machine politics they were able to stay—who were anything but an honor to the state. This constitutional amendment had been attacked in 1942 in an effort to rescind it; but the voters refused to do so. Since we were considering the judicial system so soon after the people had spoken twice on it, we deemed it advisable to keep it. Under this system when a vacancy occurs by death or resignation or otherwise in these four most populous counties, the governor appoints, but he is limited in his appointment to a list of three names filed with him by a committee in each judicial district made up of one layman appointed by the governor and two members of the bar selected from time to time by the lawyers in these circuits. When any judge seeks re-election at the end of his term, in these particular circuits, he declares his intention and stands for election without an opponent, running solely on his record as a public servant. At the first election under this system in 1942, we succeeded in throwing out of office one of the political judges appointed by the governor to fill a vacancy—it happened to be the Independence division—so that the complaint, made so often during the sitting of the convention, that it “froze” judges to the bench, was well discredited. This system of appointment and running on their own records also applies to the judges in our three appellate courts as also to the supreme court of the state. It is now referred to, throughout the country, as the “Missouri System” and is receiving considerable attention.

We abolished all justices of the peace in the state and provided for courts of record known as magistrate courts. This is operating very satisfactorily and does away with the evils of justice of the peace courts where, in Jackson county, where I live, they had resolved themselves almost into “judgement for the plaintiff” courts.

All probate judges and magistrates must be members of the bar except, in the case of magistrates, one who has served as much as four years as a justice of the peace is eligible. All judges are on a salary basis and the fee system is abolished.

No appellate or supreme court judge may continue in office after he becomes seventy-five years of age.

We provided for a classification of counties in order that each county can have a form of government suited to its wealth and taxable property, each county to make its own choice. We have provided for voluntary consolidation of counties by the voters



themselves under which two or more contiguous counties, not in excess of ten, may cooperate in the building and maintenance of any governmental function, such as airports, parks, almshouses, and also roads. We have also provided that all counties having a population of 85,000 or more may come under a charter form of government, such charter to be worked out by a committee of freeholders of the county.

The fee system for law enforcement officers, and in fact for all state officers, except public administrators, has been abolished and all have been placed on a salary basis. There have been county officers in Jackson county with a statutory fee of \$4,000 actually realizing \$40,000 out of fees.

By a 4/7 majority any city or incorporated town may issue revenue bonds for the purchase or construction of its own municipal utilities.

#### SOUND FINANCIAL PROVISIONS

In the matter of finances the four principal features of the new charter are generally accepted as sound. They are: The limitation on the amount of the debt which any local unit may contract, based on a percentage of the assessed valuation of taxable property therein; the requirement that two-thirds of the voters, voting on the proposed debt, must approve it; the levying of an annual tax sufficient to pay the interest and the principal as they fall due; and, fourth, the retirement of the debt within twenty years.

In the matter of public officers, trial for impeachments was transferred from the state senate to the supreme court, except in the cases of the governor and members of the supreme court, who must be tried before a commission of seven eminent jurists selected by the senate. Election contests for state officers have been transferred from the general assembly to the supreme court.

In suffrage and elections the important change was the provision for absentee voting being extended to all qualified voters of Missouri who are absent from the State on election day.

In education we increased the age limit in the public schools from twenty to twenty-one years and eliminated the former minimum of six years. This makes public kindergartens possible. Provision is made for adult education and for area schools giving special training in trades and crafts and training for underprivileged or handicapped children.

An important change in the article on education consists in the establishment of a bi-partisan board of education composed of eight lay members appointed by the governor for overlapping terms. The board's principal function is to select a state commissioner of education and to advise with him on general educational policies.

This has been thought to be one of the most significant things done by the new Constitution, in that we have taken the public schools of the State entirely out of politics.

Provision is also made that county and township school funds are to be invested in government bonds or distributed to the schools themselves, rather than loaned on real estate, as heretofore provided.

A new section was provided for state support for public libraries.

We now come to the matter of taxation, a subject in which I am sure all of you are interested. The changes in the new constitution result in a much more equitable distribution of taxes on property and give far greater control to local units of government. The general property tax, however, remains the principal source of revenue for local government.

The most important change is a provision for the classification of property for tax purposes. Forty-three states now have such provisions; property is classified as real estate, tangible personal property, and intangible personal property. The last two classes may be divided into classes by the general assembly and different tax returns may be applied to each class. Intangibles will be taxed on the basis of yield not to exceed eight percent thereof. This tax will be levied and collected by the state but the proceeds will be returned to the local units of government and it is expected will result in a substantial increase in the revenue from intangibles.

Many of you will recall that the Thirty-fourth General Assembly, of which I was a member, fixed a flat millage tax of fifty cents on the \$100.00 on intangibles, monies and credits, etc. This was done, as I recall the arguments, because millions of dollars of Iowa capital were being invested in other states and no return being made on such investments to the assessors, in the justified belief that the state tax up to that time had been confiscatory. And I was interested in noting that in the argument on the floor of our convention with respect to this provision, the results of your experience here in Iowa were presented to the convention.

The legislature fixed the tax at six percent on intangibles, so that if you own a \$1,000.00 mortgage on which you get a yield of six percent, being \$60.00, you would be liable to a tax of \$3.60 on that \$1,000.00 investment.

Money in the bank is exempt from taxation, unless invested in savings account and drawing interest, when it comes under the other provision.

A maximum limit on the general property tax return for state purposes was reduced from fifteen to ten cents on the \$100 assessed valuation. The new maximum rate for school purposes in

cities is \$1.00 except in St. Louis where the maximum is eighty-nine cents, under the provisions of their own local laws, and they did not wish to have this provision disturbed. In all other school districts it is sixty-five cents and the maximum limit in all municipalities is \$1.00. In counties whose assessed valuation is \$300,000,000 or more the maximum is thirty-five cents, in all other counties it is fifty cents.

The voters in any unit of local government may by two-thirds majority vote increase the rate, but the general assembly may place restrictions on such an increase, and special levies may be authorized by law for library, hospital, health, recreation and museum purposes. Under this provision Jackson county, Missouri, is just now creating its own library.

#### LEGISLATORS OBSTRUCTED SESSIONS

We made minor changes in the methods of amending the constitution, not necessary to mention, perhaps, but a unique and annoying situation having arisen at the beginning of our deliberation, and out of a little resentment among the delegates, we did write into this article something that had never been in it before. When we assembled at Jefferson City we found that most of the committee rooms and offices, and especially on the senate side, were securely held under lock and key by some of the members of the legislature, and there was considerable reluctance on the part of such legislators to accord to our delegates the ordinary courtesies of using these offices. In fact we had been in session two months before the speaker of the house granted to the president of the convention the privilege of using his private office. So we wrote into this article—I proposed it—that when the constitutional convention is in session it is specifically authorized to use the legislative chambers and quarters in the state capitol.

Now I trust that these features which I have presented are not without interest to you as ex-legislators and ex-state officials, and if there is any additional information that any of you should like, I shall be very glad indeed to supply it.

I trust, as I have already said, that what I have presented in a more or less fragmentary way concerning the making of this constitution, which we honestly believe may be called a modern constitution and which we feel is meriting considerable favorable comment throughout the United States, has not been without interest to you, and if it has been tedious, I trust you will pass it on the plea that not having been a resident of your good state for quite a number of years, if I should present anything in the way of personal experience, it must necessarily have to do with things outside of Iowa.



I have not had occasion to read closely the constitution of Iowa, but I understand it has been subjected to quite a number of amendments. Your state, however, was not born out of conditions comparable to those of Missouri when the first constitution of 1820 was adopted. In 1845 a constitutional convention sat, but the work of the convention was not approved. A convention was called again in 1875 and the constitution then worked out and approved by the people (and which had been amended some sixty or seventy times) had been adopted under post-war conditions where there were many crosscurrents and deep feeling. Your constitution undoubtedly meets the requirements of your state much more acceptably than did this antiquated constitution of 1875 for us, and while there was much complaint that we were called together during war-time conditions, we recognized that the state had spoken and it was incumbent upon us to do our best. This we did, with results that are entirely satisfactory to ourselves and apparently to the state, and we believe we may now and hereafter look back on our experience and feel we were profitable servants.

### THE UNVEILING OF PORTRAITS

President SMITH: At this time we will have the unveiling and formal presentation of portraits of eminent Iowans to the State Department of History and Archives. And at this juncture it is my pleasure to present the Chief Justice of your state, the Honorable Charles F. Wennerstrum. Judge Wennerstrum, ladies and gentlemen:

Gov. GEORGE W. CLARKE

Chief Justice WENNERSTRUM: It is with a sense of deep appreciation that I am permitted to participate in this meeting of the Pioneer Lawmakers Association and to receive on behalf of the state of Iowa a portrait of Gov. George W. Clarke.

I think it is perhaps fitting that preliminary to my formal remarks that I say it was with a feeling of deep sentiment that I accepted the invitation to speak on this occasion. At the conclusion of my law school work at Drake University it was my privilege to go into the office of Governor Clarke in Adel and to be there employed during a portion of the period that he was in Des Moines as governor of the state of Iowa. I am certain that I gained inspiration from my association with that office and the ideals that were there present. The past year has witnessed the observance of one hundred years of statehood for Iowa. In many communities in the state fitting observances were held and recognition was given to the developments that have been made during the past century. Indeed it has been a "Century of Progress." However, in

the consideration of the achievements of the state during its first one hundred years perhaps greater emphasis was placed upon the material and economic developments and less recognition given to the men who have been responsible for this progress which was in part due to worthwhile administration of our state government.

It is therefore fitting and proper that on an occasion such as this that we honor and pay respect to men who have contributed to the cause of good government in our state. In this group unquestionably should be placed one of our former governors, George W. Clarke, who left an imperishable impress upon this commonwealth. We have gathered here today for the presentation of a portrait of this outstanding public servant to the state of Iowa, by the family of Governor Clarke. This likeness will hang in this gallery in recognition of his superior statesmanship. On the occasion of the receipt of this portrait by the state it is proper that we review his career as a statesman and appraise his estimable qualities manifested throughout his private and public life.

George W. Clarke was born on a farm in Shelby County, Indiana, October 24, 1852, and died in Adel, Iowa, November 28, 1936. His parents, John and Eliza J. Clarke moved to a farm a mile and a half southeast of Drakesville, Davis County, Iowa, in October, 1856. There Governor Clarke grew to manhood and during that formative period of his life worked on the farm and attended school. For a period of about a year following the completion of what was then a high school course, he taught school, first in the country, then in Drakesville and finally in Bloomfield. In 1874 he entered Oskaloosa college and was graduated from that institution in 1877. For a brief period of time he read law in the offices of Lafferty & Johnson at Oskaloosa and then entered the law school of the State University of Iowa, from which institution he was graduated in 1878. This same year he began the practice of law at Adel, in which community he maintained his residence throughout the remaining period of his life despite the fact that his later official duties took him to the capital of the state for long periods of time.

In 1882 he became associated with John B. White of Adel in the practice of law under the firm name of White & Clarke. These two men were recognized for their legal ability and they were regarded as outstanding attorneys in that part of the state.

George W. Clarke early received recognition from the citizens of his community. Shortly after he went to Adel he was elected justice of the peace and served four years. In 1899 he was elected state representative from Dallas county, was reelected in 1901 and again in 1903. He served in the Twenty-eighth, Twenty-ninth and Thirtieth General Assemblies and because the biennial amend-

ment was adopted at the general election of 1904 and the terms of the members of the Thirtieth General Assembly were extended another period, he was in the Thirty-first General Assembly. His fellow legislators, elected him speaker of the Thirtieth and Thirty-first General Assemblies. In 1908 he was a candidate for the Republican nomination for lieutenant governor and won the nomination for this office in the first primary election in the history of the state. His opponents in the primary were Bernard Murphy and James H. Wilson. At the general election he won over his Democratic opponent, D. A. Ray. In 1910 he was renominated as lieutenant governor without opposition and won in the general election over his Democratic opponent, Parley Sheldon. He was a candidate for the Republican nomination for governor of the state of Iowa in 1912 and won this nomination over Perry G. Holden and Aaron V. Proudfoot and in the general election of that year defeated his Democratic opponent, Edward G. Dunn and John L. Stevens, the nominee of the Progressive party. His plurality over Mr. Dunn was only 1699 votes. In 1914 he was again honored by reelection to the office of Governor of Iowa, defeating John T. Hamilton, Democrat, and George C. White, Progressive. His plurality over Mr. Hamilton was 25,845.

After Mr. Clarke retired from the governorship in January 1917, he served one year as dean of the Drake University College of Law. Then he returned to Adel where he resumed the practice of law for a few years. He did not again engage actively in politics, although in 1926 he was chairman of a committee which managed the campaign of A. B. Cummins for reelection to the United States senate. At this meeting of the Pioneer Lawmakers of Iowa it is perhaps unnecessary to mention or comment upon the qualities known to most of you that brought to George W. Clarke his many official recognitions. However, one would be remiss not to do so. He was an individual whose policy in public office was to do that which he felt was the right thing to do. He was also farsighted in his ambitions for his state. This was particularly manifested in his support and advocacy for capitol extension. To him, perhaps more than any other man, may be given the credit for the beautiful grounds which now surround our capitol building. It was during his first term of governor that he espoused the cause which was then referred to as "The Capitol Extension." He recognized the need of more ground to provide a proper setting for the state capitol building and such additional and necessary buildings that might be required for future proper administrative expansion. His sense of the beautiful brought to him an appreciation of a setting for state buildings which would bring dignity and satisfaction to the state. He lived to see the accomplishment of this project.



The fulfillment of the plans for more beautiful capitol grounds was not realized without effort. In his campaign for reelection in 1914 he encountered most strenuous opposition from people who claimed that the appropriation for capitol extension was most extravagant. He did not avoid this issue or its political dangers. He did not seek to pass the responsibility for Capitol extension to the legislature which had passed the necessary legislation but went out over the state in support of the cause which he felt was for its best interest. In an address in a southern Iowa community when he was justifying the program for a more suitable and beautiful setting for our capitol building he made this statement: "When this battle is over and I may be listed as a casualty it will never be said of me that any bullets entered my back." This spirit of courage and forthright statesmanship appealed to the citizens of Iowa and in part resulted in his reelection in 1914. There is no monument on the capitol grounds honoring Governor Clarke. He needs none. Fittingly if such a monument were erected might it have inscribed upon it the words placed on the tomb of Sir Christopher Wren in Saint Paul's Cathedral, London, "If you would see his monument look around."

Although Governor Clarke will be best remembered for his espousal of the program for a more beautiful capitol ground yet a review of his several messages as governor to the legislature indicates his progressive views on state problems. Many of his suggestions to the legislature have since become laws. In his inaugural address as governor of Iowa in 1913 he advocated a good roads program and therein said, "There can be no complete solution of the country life problem in advance of the permanent road." In this same message he advocated the creation of an office of business manager for the affairs of the counties. He fearlessly stated "Until some such methods are introduced it can hardly be otherwise than that the business of the counties will be done in an uneconomic and unsatisfactory way. The methods of fifty years ago will no longer do." He was particularly interested in the development of proper schools in the country and stated that if the student cannot come to the high school in town then the high school must go to the country.

Due, undoubtedly, to his legal training he was especially interested in the reform of court procedure and it is of particular interest to realize that many of his suggestions as incorporated in his first inaugural address have now been adopted by this state. He advocated that all exceptions to instructions should be taken before they are read to the jury and no others considered or allowed. He suggested that the law should provide for majority verdicts in civil cases. It was also suggested by him that the time for taking appeals should be greatly shortened. In his biennial

message in 1917 he again commented upon some of his suggestions as to court procedure which he had made at the beginning of his term of office as governor and further advocated that the trial court should be given control in the matter of the examination of jurors, so that the selection of a jury would not take a long period of time. It was also his suggestion that if a defendant in a criminal case should decline to become a witness in his own behalf, the county attorney should be permitted to comment on that fact to the jury and that the law forbidding the prosecutor to comment on the failure of the defendant to testify should be repealed.

It will be observed that several of the suggestions made by Governor Clarke as to court procedure have now become laws.

One of the outstanding qualities of Governor Clarke was his evaluation of men in his selection of appointees to state offices. His rule in the matter of appointments was whether the one suggested was the best available person in the state for the position to be filled. Because of the general feeling that an appointment received at the hands of Governor Clarke was a distinct honor a number of appointees called upon him near the conclusion of his second term as governor and presented him with an appropriate gift of appreciation. In accepting this gift he spoke from his heart and clearly set forth his conception of the duty of the chief executive in selecting men for public office. He there said:

It was not easy for me to appoint a single one of you men. In nearly every case you were chosen from a group of applicants, or those urged as especially fitted for the place, or deserving as a supporter or friend. But, disregarding political pressure or ties of personal friendship, I carefully canvassed the qualifications of the men available for every single appointment, and named the man that I believed was best qualified to render the highest order of service to the state of Iowa in the particular position under consideration. It is not praise, especially, but a plain statement of fact, that each of you was the best man I could find to render the service the state is entitled to receive in the position you are filling. It has been my rule of procedure in every instance to approach the selection of men to be appointed by me to places of public responsibility, with care and deliberation, and I exercised the best judgment of which I am capable. As a group I have no hesitancy in saying that it is my belief you are the finest, best qualified men that I was able to find in the whole state of Iowa for the individual tasks for which you have responsibility, and I commend the fidelity you have brought to your tasks, as well as the success you are demonstrating in attending to the affairs of the state.

Governor Clarke was an outstanding public servant. He was a man of conscientious courage and a man of vision. His qualifications can be best summarized by saying that he was a good citizen. He made a most worthwhile contribution to the life of this

state and it is with a sense of distinct pride that the state of Iowa accepts this portrait of him. It will fittingly hang in these galleries beside portraits of other distinguished Iowans who have contributed much to the development of this great commonwealth.

President SMITH: Thank you, Judge Wennerstrum. We are now pleased to announce that we have as guests today Frances Clarke Kinnick, a daughter of Governor Clarke, Mrs. Charles F. Clarke, a daughter-in-law, and Kingsley Clarke, a grandson. They have honored us with their presence. Will they arise so that we may honor them? (Applause).

The next portrait to be unveiled today is that of Col. William Patterson, a territorial legislator of Iowa, and it is now my pleasure to present Honorable Stanley L. Hart, of Keokuk, senator from Lee county.

#### COL. WILLIAM PATTERSON

Senator STANLEY L. HART: Mr. President, Mr. Chief Justice, Members of the Iowa Pioneer Lawmaker's association, Ladies and Gentlemen:

It is indeed a pleasure for me to be here today to participate in the presentation of this fine old portrait of Col. William Patterson. I regret that I will find it necessary to refer to manuscript, but I am taking you back 145 years ago last Sunday when this eminent gentleman was born.

It is told of Oliver Cromwell that he had a mole on his face, and when sitting for a portrait the artist asked if it should be omitted from the picture. "Paint me as I am!" vehemently replied the man. The individuality of Col. William Patterson was of that noble cast that to paint him just as he was will give the truest and best delineation of his fine qualities. He was a courageous pioneer and a grand old citizen.

Colonel Patterson was a prominent character in Lee county, Iowa, and a detailed biography of his life would form an interesting history of the entire locality adjacent to his Iowa home. Coming from sturdy, honest pioneer stock, of large and commanding stature, he stood a strong, living monument to the worth of honest manhood and life of sterling, active Christian qualities. He was born in Wythe county, Virginia, March 9, 1802, was the son of Joseph and Jane Patterson, and is of Scotch descent. When about five years old his father moved to Kentucky, settling in Adair county, where he received a common-school education, attending



school during the winter months and assisting on the farm in the summer. He had a fondness for farming and in early manhood intended to make that his life vocation, but subsequent events caused him to abandon that determination, and he drifted into mercantile pursuits.

On April 2, 1822, Colonel Patterson was married to Miss Eleanor Johnson, both being in their twentieth years. Eleanor Johnson was born in Anne Arundel county, Maryland, April 21, 1802, and in early childhood moved with her parents to Adair county, Kentucky. Her father died soon thereafter, and the mother of Colonel Patterson died in his boyhood. Joseph Patterson, the father, married the mother of Eleanor Johnson, and the two families became as one. Thus Colonel Patterson and his wife had known each other from childhood. In 1829 they left Kentucky and settled in Marion county, Missouri, but after a residence there of three years removed to Sagamon county, Illinois. In 1837 they moved to West Point, in Lee county, Iowa, which was then a portion of Missouri territory. Colonel Patterson became tired of farming and in 1846 the family located in Keokuk. He opened a store in connection with furnishing boats with provisions. Keokuk at that time had only from one hundred and fifty to two hundred inhabitants, and the village was built on the edge of the river. The hill upon which the city now stands was covered with timber and underbrush.

After engaging in the mercantile business in Keokuk Colonel Patterson, as an experiment, began in a small way to pack pork. In 1848 he sold his store and engaged exclusively in the pork-packing business, which he followed for over thirty years. The firm for a considerable time was Patterson & Timberman, the latter dying in 1879. The packing operations grew to 20,000 hogs per annum. Colonel Patterson took an active part in shaping affairs in early Iowa days. He was elected a member of the first legislature of the Territory of Iowa, in 1838, and was influential in settling the disturbance about the boundary line between Iowa and Missouri, which was strenuously agitated at that time. He was commissioned a colonel of militia by Governor Lucas, of Iowa, and in 1839, during the border troubles, was ordered by Maj-Gen. I. B. Brown to report with one company at Farmington, Iowa. The company was sent to the front, but by the efforts of Colonel Patterson and some of his colleagues in the legislature, bloodshed was averted, the militia was disbanded and soon the boundary line between Iowa and Missouri was established by congress according to the claim of Iowa. Colonel Patterson served in nine regular or special sessions of the Iowa legislature, was three times mayor of Keokuk, and for seven years postmaster in that city. He was a member of the constitutional convention, which convened in Iowa

City in 1857, and was for a long time president of the Des Moines Improvement Company. For over nine years he was president of the Keokuk National Bank, a position he held at the time of his death.

Colonel Patterson was one of the principal movers in the work of building the First Westminster Presbyterian church, of Keokuk, one of the most substantial and commodious edifices in the city, built of stone, and subscribed liberally to the enterprise. For over sixty years he had been of the Presbyterian faith. In 1837 he was elected an elder of the Old School Presbyterian church, at West Point, Iowa, and was the first Presbyterian elder ordained in the state. He was a wise, able and conscientious Christian man, a recognized patriarch in the church. Firm yet mild, many interesting stories are told of his rebukes to members whom he thought had deviated from rectitude. He had no patience with hypocrisy or shams.

When he located in Keokuk goods were received by river only; that was the only means of transportation, and these goods were distributed over the sparsely settled surrounding country by means of ox teams and wagons. Colonel Patterson was, therefore, identified with Keokuk from its earliest history, from the inception of its first infant industry, up to the time when it had grown into a prosperous little city, and the greater part of the time intervening was spent by him in ceaseless activity.

In 1881 he had a limb broken, which gave him much trouble and forced him to retire from active business life. The use of crutches became necessary, and consequently he remained most of the time in the quiet of his beautiful home. Almost up to the time of his death his general health was quite good, his mind clear, and in pleasant weather would ride down town to greet his many friends. He was still a notable figure at church, where at the Sunday services he was helped by a faithful attendant to a large arm-chair near the pulpit.

Socially he was pleasant and affable, one of the old-style gentlemen, intercourse with whom was calculated to make men and women proud of their ancestry, the early manhood and womanhood of the country. Reading was one of his chief pleasures, and he kept a strict watch on the current events of the country. He was one of nature's noblemen, a large-brained, big-hearted, honest man.

April 2, 1872, Colonel Patterson and his wife celebrated the fiftieth anniversary of their wedding. This golden wedding was a notable event in Keokuk.

On April 2, 1880, just fifty-eight years from the date of her marriage to Colonel Patterson, Mrs. Patterson, ripe with years and full of Christian hope, was called from earth and passed over the river to the eternal city, lighted by the glory from the Master's throne.

Saturday evening, March 9, 1889, the eighty-seventh anniversary of his birth, an informal surprise reception was tendered to Colonel Patterson at his home by a number of his friends and admirers for the purpose of grasping his hand and extending warm and heartfelt congratulations. As a matter of history, in this connection it will be interesting to perpetuate with his memory those who were among the number present on this notable occasion. Included were ministers of the Gospel and their wives, doctors, high-ranking army officers, eminent lawyers, judges of the court, bankers, captains of industry, and numerous people from all walks of life, totaling more than 100 guests, all gathered together to pay reverence and mingle in social communion with this great and good man.

It was well, for only a few months after this memorable reception, this kindly tribute to Colonel Patterson, he was called to his reward. He died peacefully at his home, October 23, 1889, greatly lamented, not only in Keokuk, but wherever Colonel Patterson was known. He lived to a ripe old age, far behind the three score and ten, and his lengthened days were days of usefulness and peace. And the world is better that he lived.

Colonel and Mrs. Patterson were the parents of eleven children, three of whom died in infancy. Those who lived to manhood and womanhood were the following:

Mrs. Mary A. Creel, born in Kentucky;  
Mrs. Eliza D. Marshall, born in Kentucky;  
William Albert Patterson, born in Kentucky;  
Joseph C. Patterson, born in Kentucky;  
Sabert L. Patterson, born in Missouri;  
Mrs. Margaret Starkweather, born in Illinois;  
Miss Eleanor Patterson, born in Iowa;  
Thomas B. Patterson, born in Iowa.

None of these survive. And so on behalf of a surviving granddaughter, Mrs. Maud Marshall Hassell, of Keokuk, it gives me great pleasure to present to the Iowa State Historical department, the oil portrait of that magnificent old patriarch, who contributed so much to Iowa culture, progress and prosperity—one whom we all might well pattern our lives after—Col. William Patterson.

President SMITH: Thank you, Senator Hart. Now will this grand-daughter, who is present and has just



been named, please arise, so that we may honor her. (Applause). Thank you, Mrs. Hassell.

Now, Judge Scott, has your committee a resolution to report?

#### IN MEMORIAM

Hon. RAY P. SCOTT: Mr. President, Gentlemen of the association, your committee on resolutions on the passing of Senator H. S. Van Alstine begs leave to present the following:

It is with regret that we have learned of the passing of Senator H. S. Van Alstine. Some of us who served with him knew particularly of the valuable service which he rendered to the state of Iowa. We believe confidently that the senator had the broadest knowledge of the great subject of taxation of perhaps any man who has served in the Iowa legislature in recent years. His service to the state of Iowa has been priceless and his devotion to duty was without reserve.

Those of us who are still here, and those who shall come hereafter and enjoy the fruits of the labor and sacrifice of men like Senator Van Alstine should never tire in honoring such a memory. Senator Van Alstine was a Past President of the Pioneer Lawmakers' association, and was untiring in his labors for this association.

Therefore, be it resolved by the Pioneer Lawmakers' association that we mourn the loss of Senator Van Alstine, and that in his passing the state of Iowa and this association have lost one of its ablest and most distinguished citizens; and

Be it further resolved, that a copy of this resolution be spread upon the records of this association and that a copy be forwarded to the family of the deceased.

OSCAR ANDERSON

RAY P. SCOTT

Committee

The resolution was unanimously adopted by a rising vote of those in attendance.

President SMITH: Now, Senator Adams are you prepared to report for the nominating committee?

Hon. HENRY L. ADAMS: The nominating committee respectfully presents the following names for your consideration for officers for the ensuing year:

President—H. J. Mantz, Audubon, Justice of the Supreme court

Vice President—C. F. Clark, Cedar Rapids

Secretary—Emory H. English, Des Moines

Executive Committee—The above three, plus Israel A. Smith, Ray P. Scott, Geo. E. Brammer and John M. Rankin

## District Vice Presidents—

First—William Carden

Second—Ernest R. Moore

Third—Arch W. McFarlane

Fourth—Frank J. Shane

Fifth—Ed M. Smith

Sixth—W. W. Goodykoontz

Seventh—Julius A. Nelson

Eighth—C. E. Narey

The report of the committee was unanimously adopted and those named duly elected.

President SMITH: We are to lunch in a group at the capitol building and will now recess until the calling of the afternoon joint session. I wish to thank the association for the courtesies extended to me and for your very patient hearing.

## JOINT CONVENTION SESSION

The Joint Convention of the Fifty-Second General Assembly was called to order by Lieut. Gov. Kenneth A. Evans presiding. A committee consisting of Rep. Arch W. McFarlane and Sen. F. E. Sharp notified the Pioneer Lawmakers that the Joint Convention was ready to receive them and escorted the members of the association to the House Chamber.

President EVANS: At this time it is my honor and privilege to present to the Joint Convention the Hon. Israel A. Smith, president of the Reorganized Church of Jesus Christ of Latter Day Saints, of Independence, Missouri, a former representative in the Thirty-fourth General Assembly from Decatur county, Iowa, and now president of the Pioneer Lawmakers Association of Iowa, Mr. Smith:

President SMITH: Mr. President, it is my pleasure as my first official act on this occasion to present Hon. Frank C. Byers, who will welcome the Pioneer Lawmakers on behalf of the Senate.

Senator BYERS: Mr. President and Pioneer Lawmakers: It is an honor and privilege to be allowed to welcome the Iowa Pioneer Lawmakers on behalf of the Fifty-second General Assembly. It is especially a pleasure for me to welcome you on behalf of the Senate at this time because at the next meeting of the Pioneer Lawmakers two years from now I will be eligible to become a member of the Pioneer Lawmakers and hope to be here and be one of you.

There have been many changes in recent years. There are new conditions constantly arising which require legislative consideration and regulation.

You laid the foundations of the laws of our state wisely and well, and I presume you felt when the last session of your terms in the legislature ended and you had adjourned that the state had all the laws it needed. You would have been correct if life had remained of the tempo of those days, but in this day of the radio, airplane, automobile and the streamliner, the rule of life is change rather than stability, and it is to meet this change with its increased complexity of human relations that new enactments are constantly required.

You realize as well as we that all change is not progress. It is still true, as in the past, that we must consider well what is proposed and hold fast to that which is good. Though we have thus far preserved the heritage of a free people which our forefathers brought forth and you helped hand down, democracy was never as much challenged in the world as today. With highly organized pressure groups making their influence more and more felt in America, there never was a time when it has been more necessary to exert every effort and strain every power at our command to maintain our Republic and transmit it unimpaired to the coming generation.

These are the problems of today. They seem to us greater than the problems of yesterday. They may not be; they may only be closer. We take from you the inspiration, the zeal, the steadfast loyalty to the principles of the constitution of our country which you in your legislative careers so highly exemplified. We hope to carry on upon the same high plane of public endeavor. The future only can judge of our success.

For the services you rendered the state, for handing down the charter of American freedom undimmed and unerasd, and for the example of useful and necessary legislation you set, I welcome you here in the name of the senate.

A musical selection was rendered by the orchestra of the College of the Blind from Vinton.

PRESIDENT SMITH: I now am pleased to present the Hon. A. H. Avery, who speaks in welcome on behalf of the House of Representatives:

MR. AVERY: President Smith and Venerable Men: I use that term advisedly, because you are venerable men. As I think back, as I can, of the pioneering you did in lawmaking for the last fifty years, I am impressed that you did a great service in building well for the future.



I picked up a copy of the journal of 1909—that is quite a while ago—and you did some pioneering in 1909. You provided for voting bonds for the building of county hospitals, and on that foundation we in this session of the legislature have before us an enabling act permitting us in Iowa to avail ourselves of federal aid for county hospitals. We have another bill before us for licensing of county hospitals, or building hospitals for that matter, and setting up a board to see that these hospitals are built the best to serve the purpose for which they are built. That county hospital bill that you passed in 1909 is being copied in many other states, or has been copied in many other states of the Union, and probably will be copied in many more during the present and the next year.

In Iowa it may interest you to know that twenty-five counties are voting county hospitals this year.

Five years ago America was engaged in the business of devising ways and means to make instruments to destroy life and cause human suffering. Today in this legislature in the county hospital bills that we are proposing to pass we are providing for the relief of human suffering and the saving of human life.

That is one peculiar thing about America. When it becomes necessary to preserve the things for which our pioneer ancestors away back fought, we are ready to lay aside everything and produce the instruments to cause human suffering and destroy human life in order to preserve it. But when it is all over then we turn right around and start doing those things that will prevent human suffering and prevent the destruction of human life.

Venerable men, in behalf of the House of Representatives, I cordially welcome you this day to this occasion.

#### RESPONSE TO WELCOME

President SMITH: Mr. President, Mr. Speaker, Ladies and Gentlemen of the General Assembly:

As president of the Pioneer Lawmakers I extend to Senator Byers and Representative Avery and to you our sincere thanks for your very warm reception. It has been said, and said long ago, that republics are ungrateful, but after having a few experiences of this kind we are assured that this does not apply in Iowa.

It is indeed a pleasure to return to these halls where one labored in a more or less humble way. Every place that is consecrated and dedicated to the service of hu-

mankind becomes hallowed, and it is with this in our minds that we return to this chamber.

For a brief period I served as a member of the house. Here at seat No. 84 I took my bar examination and was admitted to the bar of this state, something of which I have always been very proud.

So we are happy indeed to be your guests and greatly appreciate the opportunity to meet you and to look into your faces and are greatly impressed that, between you, your wives, your sweethearts, your good-looking clerks and your husky faces, the affairs of Iowa are in good hands.

I was not a member of the legislature of the state of Missouri, but I had the honor to serve as a member of the constitutional convention of that state in which we write our basic law. I have had an opportunity in the third of a century I have been in Missouri to have some idea of the capacity of the people of that state, and it is no disparity to them, but if things should go smash as some people seem to think they are, and that orderly government is going to go by the boards, if there is any state in the Union that justifies faith of continued capacity for self-government, I put my money on Iowa.

Before I introduce the speaker of the hour I want to extend on behalf of this assemblage our sincere appreciation and thanks to this orchestra for coming here and making this a more pleasurable occasion.

And may the God of states and nations that shapes the destinies of states and of men, rough hew them as we may, continue to be with you and with this great commonwealth.

It is now my pleasure indeed to present to you as the speaker of the hour a man who served voluntarily for three services, in the United States army, was a member of this body, a senator, and who served with distinction for quite a number of years in the national congress. It

is a pleasure indeed to present Hon. Lloyd Thurston, of Osceola.

#### THE MIDDLE COURSE

Senator THURSTON: Mr. President, Members of the General Assembly past and present: It is a privilege to take part in a program with the governor of the state of Iowa, and also to appear before former and the present members of the general assembly of a state, wherein the level of living conditions has a higher average than elsewhere in the nation—possibly the whole world. For in Iowa, we are not too conservative or too radical; few are very poor or very rich. Our people are measured and weighed on the scale of their talent or capability, rather than by their holdings. The children of our citizens find their place in the community through their own mental alertness; the leader in the girls' club or the captain of the football squad is chosen by the rule of leadership rather than by family position.

An inland empire named "Iowa" was created out here in the heart of the nation, which was to be the melting pot that received its human portions gradually, so there was complete absorption into the American way of life; while a few communities revere some of the customs or traditions of the land of their forbears, alien isms were not tolerated. If the pioneers had in mind the creation of a state where peace, toleration, education, industry, agriculture might thrive, their labors have borne fruit.

Only a few months have elapsed since the celebration of the centennial of the admission of Iowa into the Union. It was observed in every city, town and village in the state, so it would be superfluous to attempt to add to the splendid record of achievements so vividly portrayed from one great river to another. The great debt this and future generations owe to those hardy pioneers cannot in substance be paid; we can only voice what our heart has transmitted to our minds.

However, an abstraction might be mentioned; if the food products of our state should be withdrawn from the channels of trade, hunger and suffering would be felt in many sections of our country, because Iowa supplies ten per cent of the food consumed in the United States, so without boasting, it can be said that our applied science in agriculture and farm products directly concern the whole world.

While our state stands first in many food and cultural fields, Iowa is not only a land of glorious memories, it must be a place with a promising future, so in education, science and social achievement, if Iowa cannot lead, it must be kept abreast of the march of progress in movements that will maintain our hard earned place near the top of American citizenship.

A study of the science of history discloses an age old conflict between men who are willing to be slaves and those who prefer to fight for freedom; that self preservation is the impelling motive of human endeavor; so it matters not whether absolute power is vested in an autocracy or in a self-centered dictatorship; the result is the same for all except the favored few. The centralization of power has been the scourge of all times, whether ancient, modern or present.

Caesar, Napoleon, Cromwell, in their time, started out as the champions of the oppressed, but ended as tyrants. Later, Hitler, Mussolini and others organized a trail of bloodshed, anarchy, which brought ruin; as will all, who seek to rule through force rather than by orderly processes.

The thought expressed brings the logical corollary; men come and men go, but the principles of justice and humanity are as fixed as the North star. Stated broadly, those who put their faith in men awake in despair, as few mortal beings are strong enough to withstand the flattery of court jesters or office seekers. Washington, Jefferson, Lincoln, were among the limited few on this continent who survived the test. And the humility of these great men, might well be used as a precept for others who slightly overweigh their talents.

Then a further search into the field of human motives is met with the stern, but indisputable evidence that the Almighty did not place all of the brains or intelligence of an era in one cranium; the diffusion of learning and knowledge was not confined to a race, a class, a creed, and never to an individual. The application of industry, coupled with a determination to achieve, has and always will survive. Merit or lack of merit cannot long be concealed.

So, to recur to the thought heretofore developed, the co-operation, the combination of the talents and the energy of the people of Iowa brought forth a government, with its subdivisions, that is second to none in the universe in serving those within its borders. A century of legislative enactments have been added to the original structure, many of those statutes have been written by former members of the general assembly who are present today. Now as in the past, changes must be made to meet different conditions, trends toward the future must be constantly in mind, but the main structure of our state government is practical and sound, from the four corners of the state, to the top of the gilded dome above.

#### WHY IOWA IS SOUND

Inquiry might be made as to the reasons or causes responsible for the sound condition of our state. The reply can be made in a



few words; short tenure in office, and frequent, uncontrolled elections. Iowa, recognizing the rights of minorities, many years ago provided for a bi-partisan representation in the important boards having control over state institutions. Likewise, required that each election precinct must be under the supervision of officials representing two or more political parties. These salutary laws were not forced through by expediency, but were made mandatory by a citizenship who was willing to provide for honest and fair elections.

Right now it might be said that free elections are the bulwark of free man. Little of the world, and many of our great cities and some states, have yet to enjoy free suffrage, one of the greatest privileges of man. Sweat and free elections will do more to save the world than orations and relief.

TAXES, is a phrase which the present members of the assembly might prefer to have omitted from these remarks. However, the voters of Iowa have returned a select list of legislators whom they believe can wave a magic wand to make one dollar do the work of two. All eagerly await this transition. It has been said that government does not create wealth; it just eats wealth; so the problem appears to be, just how little this beast can subsist upon, rather than to satisfy his greedy demands. Probably, each of your constituents would be willing to have you lightly pass over his interests and then press down somewhat heavily upon his neighbors. Life appears to be just that way.

The legislator occupies much the same position as a member of a trial jury. He is expected to hear all of the evidence of those for, as well as those against, proposed measures, then apply his mental processes so as to separate the grain from the chaff; thereafter, his task is simple. Sometimes, it is asserted that he failed to winnow the grain as now required by seed testing statutes; but his constituents usually feel that he has used his best judgment, and elect him again. It is hoped that no member will take offense at the last statement.

While the functions of the federal and state governments are fairly well divided, yet, the policies and actions of the central government affect the parts, just as the activities of the parts affect the whole, so each must take cognizance of the other. Each tax liquor, tobacco, gasoline, income and inheritances, and in some social fields there are duplications. It therefore follows that the obligations of the federal government are of deep concern to all because of the gigantic, almost incomprehensible debt, fixed and contingent, of about three hundred billion dollars. The units mentioned do have one thing in common; they derive their sustenance from the people, as they create nothing.

The one phase intimately connected with this subject, seldom mentioned in government circles, is that the most current debts, public or private, were incurred during a period of high wages and high commodity levels, so the wherewith to pay current taxes or charges comes rather easily, whereas, if wages and commodities and property substantially diminish in value, obviously, the wherewith to pay becomes more difficult to obtain, so the debt just mentioned, in effect, might be considerably, or even greatly, increased insofar as its payment is concerned. Debts do not fluctuate with wages and property values, so the ability to discharge an obligation may vary from time to time. It is axiomatic that a strong nation is a solvent nation. This subject will be one of prime importance in the years to come.

And it is again apparent that the states through their executive or legislative branches, must intervene to conserve the assets of our savings and insurance institutions from acquiring securities of an international character, not one share of which will be purchased by a member of the federal government who assisted in creating them. If a provision had been incorporated in the bill requiring each member of the government in favor of the enactment to invest even one month's salary in such securities, the bill would never have become a law. The officers of mutual concerns acting for depositors, and life insurance policy holders, should be protected from the pressure that will be made to negotiate that questionable paper.

#### LENIENT WITH FEDERAL EXPENDITURES

One of the strangest developments of recent years has been the unexplainable attitude of the people of our country in regard to federal expenditures, as compared with state and local expenses. If a local school board, or library board, whose members serve without compensation, paid a few cents a ton more for fuel than the current price, a great wave of complaint would arise. If a city council or board of supervisors should slightly overpay for labor, or exceed some local price for materials, there would be a storm of criticism. But apparently, no one, until recently at least no executive federal officials, expected the Washington government to get fifty cents on the dollar for its expenditures. And when the domestic demand for free funds slowed up, these dispensers of public funds canvassed the world for new outlets. They usually found them.

Although we complain about excessive taxation, it would be interesting to know the total amount of funds that would be required if we did not have so many persons and charitable organizations which annually contribute millions of dollars to assist the unfortunate, and a multiplicity of worthy causes. The list of such donors

would be a long one, but included are the churches; private schools, hospitals and colleges; service units such as the American Legion, the Veterans of Foreign Wars and their Auxiliaries; the Farm Bureau with its 4-H and Future Farmers; the Farmers Union and the Grange; the Federation of Women's Clubs and the Business and Professional Women; the Y.M.C.A. and Y.W.C.A.; the K.C.; the U.S.O.; the Red Cross; Salvation Army; the Rotary; Kiwanis; Lions; Boy and Girl Scouts; Parent-Teachers Association; Women's Relief Corps; the Masonic and I.O.O.F. Orders and their auxiliaries, are a few of the many who carry public burdens. So a survey of the charitable field discloses that if all of the splendid work done by these and other like organizations were to be paid for out of public funds, there would be a tremendous increase in taxes.

Not only do many of the groups mentioned expend their funds as indicated, but their educational programs cover a broad field of public service; civic, national, international; and their welfare and patriotic teachings extend vital support to uphold American ideals and traditions. May their number not diminish.

It may be said with propriety that many of the statutes first enacted in our state have been adopted by other state governments, which is a tribute to the sound judgment, the practical vision of hundreds of members who so well served this state and the nation. Many a legislator has been surprised, amazed, then angered by what some court said was his legislative intention. It is true that a statute is somewhat advisory until it has been construed by the highest authority having jurisdiction over the subject matter. Undoubtedly, one of the reasons why courts of last resort so frequently cite opinions of the Iowa Supreme Court is because that body has largely confined its analysis of statutes within the rule of fair interpretation, rather than to substitute the vagaries of minds disturbed by Shangri-La meditations.

As our national legislature is now intimately concerned about the domestic and foreign affairs of China, India, Hungary, Greece, Palestine, and several other nations, it is apparent that less and less time will be given to our affairs, so of necessity, the states will be required to devote more time to matters within the country. Whether this great transition will be best for our people, only time can tell.

We had fervently hoped that when the war had been concluded, that propaganda, both foreign and domestic (and huge sums are now being used for both) which had taken so much of the air channels and space in the press, might subside, so the fog would be cleared and our citizens could again have clear vision to normally consider the problems of our homeland; but this hope is for the

future. A bubble in Europe, transmitted to the global boys here, brings a quick huddle in the Washington departments, a spokesman makes a timely release that mountains of boiling, seething, caldrons are about to boil over and engulf the world; which blankets the efforts of our economy statesmen; but funds for the state and service departments are not reduced.

The propaganda dispensers have rendered one service for our American people, they are not required to think any more, their thinking is done for them.

The science of legislating, flexible as it is, affected by ambitious leaders, always subject to dynastic, ethnetic, economic, religious phases, expanding population, must of necessity adjust statutes to trends and times; and crude though many of its enactments have been, the composite judgment of the legislators when they could freely act, pointed toward the betterment of humanity, in contrast to ukases and commands of the heads of nations, whether under the discarded guise of divine rights, or military or financial usurpation. While jibes may be pointed toward the legislator, God save us from the vanity of those who appropriate public funds to increase or perpetuate their authority.

It would appear that there is one weak spot in our national structure, in that which vests the veto power in the chief executive, requiring a two-thirds majority of both the senate and the house of representatives to override his individual decision, which is largely influenced by his own appointees, most of whom have never been elected to any office by the people. As there are 96 members in the senate and 435 in the house, the difference over a majority equals 16 members in the senate and about 72 in the house, or a total of about 88 members in the two bodies. Surely, it will not be seriously contended that the chief executive, who is often a political accident, has greater ability or is more interested in the welfare of the nation than one of our eighty some members of the congress. Modern development has placed tremendous sums at the disposal of the president, plus many thousand lucrative offices, which can, and have been flagrantly used to influence legislation. Many a member of the congress has been denied his share of public works because he did not vote as the president directed. A few years ago, there was much ado about "lame ducks", but legislation was enacted to terminate this complaint. It can be definitely asserted that presidential patronage to affect, to coerce, has been a far greater menace to our government. An impartial survey of this subject would bring forth a startling array of facts to confirm the remarks just made.



## A BALLOT, A CLOCK, A BANNER

To digress to the facetious, a story, somewhat antedated, has percolated down from the northeast part of the state; it runs like this: An aged patriarch, with long white beard, leaning on a staff, approached officials in an election precinct in Black Hawk county in the good year 1977, and requested a ballot, which was delivered to him. He then retired to the voting booth where he remained some time, and returned the blank ballot to the election judge saying: "This is not an official ballot." Upon being assured by the election judge that the ballot with others had been sent out by the county auditor, the applicant said: "I know it is not official; it does not have Arch Mc Farlane's name on it."

Then there is the incident about the member of the assembly from Linn county, who retired early because the indicator over the entrance of the elevator in the Savery hotel pointed at the figure II. He was astounded to learn that the mechanical device was not a clock. Whether this ignorance reflects more on Linn county or on the state senate, you may determine. It is only fair to say that the member was not Senator Byers.

There was a measure pending in the Thirty-eighth Session, backed by the Daughters of the American Revolution, proposing a State Flag, but some other patriotic orders, mainly the Grand Army of the Republic, opposed, asserting there should be only one flag—that of the United States. An appeal was made to a member of the body across from this chamber, who made a survey and found the opposition adamant. Later, he called up the bill for consideration, obtained unanimous consent to strike the word "flag" and substitute the word "banner", the measure was promptly passed by both branches, signed by the governor, so the Banner of the State of Iowa proudly floats just below the national emblem.

But the humor directed toward legislative bodies should not be confined to state law makers. It is reported that a public spirited citizen entered a place of business and requested a merchant to donate \$2 to assist in defraying the burial expenses of a former member of congress. The merchant went to his cash register, withdrew a piece of currency, turned to the solicitor and said: "Here, here is \$10; bury four more of them."

America does have innumerable problems, domestic and foreign, but no real American would exchange his citizenship for any of the tinsel decorations passed around by foreign governments. The most enduring, the most valuable title that can be bestowed upon a human being is that accorded to the citizen of the United States of America.

But what is America? So many million square miles of territory, with a great area of fertile land; gigantic industries; quantities of mineral deposits; unexcelled transportation facilities; large cities with beautiful parks and tall buildings; churches, colleges and schools without number; millions of good homes; most of the labor saving devices and comforts of the whole world?

Or, is America a great host of generous persons who in recent years have donated to other people more than fifty billion in dollars and supplies? Has any nation been more humanity-minded than our own? Is America the only nation in the world that is constantly to be required to purchase good-will? It seems that many of our own people have forgotten about the contributions of their government and citizens to people in other parts of the world, and believe it to be their duty to sharply condemn their own without carefully analyzing the other side of the picture. Possibly, some of these carping critics might find it more congenial, in other climes.

It has been only a short time since the most devastating war of all time was ended, and its conclusion was largely brought about by the tremendous power of the American armed forces and American economic and financial resources. The unparalleled success of our forces through devotion and loyalty to our flag, places all who did not thus serve under everlasting gratitude to those who so gallantly met and conquered every obstacle, whether on land, the sea, or in the air. The sons of Iowa did their full share in this world-wide holocaust. May their flags and banners be placed in the rotunda of this building alongside the flags of the Iowa boys who served in the Civil, Spanish, and World War I Wars.

This America of ours is the most noble heritage ever handed down to a people. America's position in the world did not just happen; it was attained through the toil and privation; the genius, yes, the sweat and blood of thousands of men and women who were determined to prove that human agencies under Divine guidance could create and maintain a form of government that would insure free institutions for a continent extending from sea to sea.

The courage of our people, the strength of our nation, is equaled by the generosity, the tender mercy which we have extended to the afflicted of many stricken lands. Because of the constant contributions made by our citizens to aid the impoverished abroad, it must not be thought that we intend to change the basic concepts of our well balanced government to meet the views of vocal minorities whose lung power greatly exceeds their mental capacities.

There are in our midst those who would tear into shreds the most benevolent haven of freedom known to man. Real Americans will

resist these wreckers, inside and outside of our government, if necessary, with the last drop of their blood.

The spirit of America, with its creative genius, coupled with its humanity, is the beacon light to all mankind. We cannot afford, the world cannot afford, to have its foundations undermined.

The American Ship of State will sail on and on, if there is a crew in command which will not change the course to the shoals on the left, or to the rocks on the right. The middle course, is the American course.

President SMITH: Thank you, Senator Thurston. It was indeed a privilege to listen to you, and an honor to all to have this address from our distinguished fellow citizen.

Now, with the hope and expectation that we may be able to be with you two years hence, the pioneers bid you a fond farewell. It is my good pleasure to surrender the chair to the Lieutenant Governor.

President EVANS: Thank you, Mr. Smith. I can assure the Pioneer Lawmakers that the previous question has not been ordered. We are happy, President Smith, that we could have you with us on this traditional occasion and we hope that you will be back with us two years hence. And, Lloyd Thurston, thanks for a very fine address.

Many musical numbers interspersed the program and were given by the orchestra from the State College of the Blind at Vinton.

The committee previously appointed came forward and escorted the Pioneer Lawmakers from the house chamber.

---

### MORE IOWA YOUTHS SEEK EDUCATION

When Drake University was founded in Des Moines in 1881 it had 270 students. In February, 1947, the number enrolled were 4,572—just another indication of the part education is playing today in fitting youth for life's responsibilities.

TO BLACK HAWK

---

Spirit God, Eternal,  
Sun of Earth-born plenty:  
Sparkling waters, wooded hillsides,  
Rolling prairie, corn there planted—  
Shine upon us now  
With long forgiving love!

You who stood beside the gleaming 'Sippi,  
Born within the fork of rivers,  
Knew this land and loved it,  
Died in time among us,  
Take a late repentance,—  
Guard with us our fertile soil!

High upon a distant hilltop,  
Sculptured monument we give you,  
YOU, whom we defeated,  
YOU, who loved your homeland,  
Even fought and lost it!  
BLACK HAWK, name we borrow  
For a creek that wanders  
Through our midland pastures,  
Through a scattered woodland;  
BLACK HAWK, name of county given  
One we would remember  
Through a century of plenty—  
BROTHER, now, in honor.

—Grace Noll Smith  
612 East 10th Street  
Des Moines 16, Iowa

---

## TRANSPORTATION FACILITIES

In 1832 the first horse cars to be operated anywhere made their appearance, each carrying only ten passengers.

In 1866 the need for transportation in Des Moines consisted of three horse-drawn cars. In 1947 the Des Moines street railway consists of 195 vehicles.



## A CHAPTER ON IOWA AND THE TARIFF

---

By ORA WILLIAMS\*

The unceasing flow of inquiries across the desk of the curator of a state historical department is much like that which an active newspaper editor encounters in his work; and at rare times there seems to be such damning of the debris as to almost compel a clearing by research and exposition on one topic or another. Just as we were about to celebrate the first peacetime Christmas after World War II, some old penciled notes and faded letters that came together suggested making a record, perhaps not for publication, but to serve as a guide to future consideration of the matter of customs tariffs and the Iowa view thereof.

Upon the wall of my office is a fine photograph portrait of Albert B. Cummins, given to me by him about the time he was leaving the office of Governor of Iowa to become a Senator of the United States. A letter of inquiry from Lt. Comd'r Edw. E. Younger, a professor of diplomatic history at the University of Virginia, indicates that he is engaged in writing what may be a book about John A. Kasson, of Iowa, and his work as a diplomat and internationalist. This is the occasion for going into the letters of Mr. Kasson in the manuscript division of the State Department of History and Archives which department has recently taken over for its use the Kasson Memorial hall on East Thirteenth street, to the building fund of which Mr. Kasson was the largest contributor. Notation is found, in the catalog, that in May, 1904, a letter was received by Mr. Kasson from Ora Williams enclosing copy of the resolutions of a Republican state convention that year, and asking for comments. This is followed by notation that Mr. Kasson received from Gov. A. B. Cummins a letter in which he expresses "his ap-

---

\*This article was written by Mr. Williams in 1946 while he still was curator of the State Department of History and Archives.

preciation of Kasson's letter to Mr. Williams which stirred up the Republican party in Iowa."

One can hardly be held to blame for following such a strange lead into the forgotten past. The fact is recalled, somewhat vaguely at first, that Mr. Kasson's letter, in response to the request indicated above, might be among the old papers in my room where I sleep and sometimes read, or listen to the radio. Yes, it was found, and a second letter, both in the hand of the veteran statesman, written out with the zeal and care of a crusader. One of the letters lacks the year date. A reference in the latter leads to search in the library of the volumes of the *American Review of Reviews* to establish the year. Now the *Review of Reviews* was a greatly esteemed magazine of fifty years ago, edited by Albert Shaw, an Iowa man, whose portrait had been recently secured for the State Historical Department's collection of portraits of Iowa authors. As I was poring over these old magazines, strangely enough a letter comes to the desk from this same Albert Shaw who is preparing a book on his recollections of Iowa.

Just another coincidence to mention. Upon going through the filing cases looking for material for use on THE ANNALS OF IOWA, I just happened at this time to come upon a manuscript by Charles Rollin Keyes, who died two years ago, and it is on "An Iowan before the Hapsburg Throne," meaning Mr. Kasson. He had left it with me for publication and had also promised another on the diplomacy of Mr. Kasson.

Putting this and that together, how could I avoid writing out a little story about Mr. Kasson and the Iowa viewpoint of the tariff. And that reminds me—John A. Kasson came to Iowa from St. Louis in the year the state capital was located at Des Moines. He had been in the "free soil" movement in Vermont. Neither the political or physical atmosphere of Missouri suited him. He helped organize the Republican party in Iowa and was

chairman of its campaign committee. Politics was his natural habitat.

When the great American crisis approached we find Mr. Kasson at Chicago writing the platform on which Abraham Lincoln would be elected to the presidency. A new party was in the making. The tariff would become a political issue. Secession would soon write into the constitution of the Confederacy a clause forbidding any protective tariff. Mr. Kasson wrote into the Lincoln platform this:

That while providing revenue for the support of the general government by duties upon imports, sound policy requires such an adjustment of these imports (duties) as to encourage the development of the industrial interest of the whole country.

#### IOWA REPUBLICANS UNCERTAIN ON TARIFF

A man from the raw prairies of Iowa was first to state clearly the whole philosophy of a tariff for revenue and the protection of home industries. It was to be a long and crooked path that Iowa would follow in finding the solid ground for a protective tariff. Iowa was an agricultural state and without manufacturers. Sheep growing was much stressed and the tariff rates on wool were deemed important. Men commenced to line up for or against in the early seventies. Wm. B. Allison in congress six years had not played the game with the skill that came to him later. His votes on the wool schedule won for him reputation as "a free trader." For this he was beaten by Judge Geo. G. Wright, whose protective tariff ideas were orthodox. And yet, Iowa was uncertain about the tariff. By 1875, with Governor Kirkwood making his come-back, the party said:

That we favor a tariff for revenue, so adjusted as to encourage home industry.

That seemed to be shying off from the elevated dais on which Mr. Kasson had placed the national party. In 1877, with John H. Gear running for governor, the party said simply:

That we favor a wisely adjusted tariff for revenue.

This was repeated the next year without change. Again, in 1879, this went for the party. By 1883 the tariff indicator had swung far to the right, and a state convention, over which Mr. Kasson presided, condemned the alleged efforts of the party opponents to establish free trade and came out flatly for protection.

Recital of this rather dry and well known history leads squarely up to the letters heretofore referred to. In the meantime Mr. Kasson had been the American representative engaged for years in endeavoring to so deal with tariff duties and reciprocal concessions as to give to the American farmer and manufacturer as much of the world market as possible. He was, in fact, the great practical exponent of utilizing the tariff for commercial advantages. When he returned on one occasion, from service for his country at foreign courts, he was given a reception in his home town of Des Moines, as if he were a returning hero of many campaigns. I sat on the porch of his house on Sycamore street and interviewed him on more than one occasion, as he told with delight of his world experiences. He was living in retirement when in the year 1903 the Republicans of Iowa declared:

We endorse the policy of reciprocity as the natural complement of protection. Reciprocity between nations is trade for mutual advantage and both must give and take.

That was in line with the life work of Mr. Kasson. That was the platform on which Governor Cummins was re-elected as chief executive. That was the platform Cummins had in mind when he attended as a conspicuous figure a great national reciprocity convention in Chicago. Then something happened. A state convention to choose delegates to a national convention, fell into the hands of a group that did not share the Cummins' views on world trade. In May, 1904, the party declaration was:

We are in favor of reciprocity in non-competitive products only.

The rest of the plank was like this. It was a year to elect president and not governor. I was in active newspaper work. I knew Kasson and thought I understood



what he would think on the tariff. So the letter that now turns up in the Kasson manuscripts was written. The answer has now been added to the files.

JOHN A. KASSON TO ORA WILLIAMS

Washington, 1726 I street, May 27, 1904.

Mr. Ora Williams, Des Moines, Iowa.

Dear Sir: In reply to yours of the 22nd instant, I have not the health or vigor to enter into the discussion to which you invite me, I thank you for the copy of the platform which you sent me, and regret that meaningless platitudes have been substituted in it about the tariff for the usual plain talk to which Iowa farmers were treated in former times. Not one politician in a thousand studies the actual conditions of our exports to foreign countries, or of our imports from them, and the relation of each to our industries. They do not understand that in those articles—particularly of agriculture—whereof we produce a large surplus for export, if the foreign market were lost to us the effect upon the home industries concerned would be just as disastrous to our industries as if an equal amount of the foreign product were imported. It is surpluses on our market—no matter where they come from—that make prices sag. Hence it is of prime importance to us to secure always foreign markets for our surplus.

Again, the platform favors "reciprocity in non-competitive products only." Will the author of that plank try his hand at making a treaty with any nation of Europe on that basis? I wish he would. He would not find enough business covered by his treaty to maintain a store at a Kentucky crossroads village.

Reciprocity does not mean free trade. As interpreted by the treaties made under the Dingley tariff act and by direction of President McKinley, it means a concession on our side of a percentage of duties of our tariffs not needed for the adequate protection of our industries, in exchange for a reduction of duties on the other side which is of more importance to our production for the export trade.

It was so interpreted by Dingley himself, in the offers he made to the Canadians in the British American commission, when a reciprocity convention was under consideration. On some things he offered a larger or smaller reduction of duties, in some cases entire freedom from duty, in exchange for satisfactory concessions on the other side.

This platform indorses the Dingley act and in the next sentence repudiates the reciprocity for which it provided.

Further, the platform has expressions of a mysterious significance, as when it declares it "unwise to legislate in a manner to provoke American industries to making war upon each other." Does this mean that competition should be discouraged? I can not believe this, and yet to what legislation does it refer?

I should have desired a platform which declares with old Iowa frankness that we adhere firmly to the doctrine of protection at to home production and home industry, adequate to the maintenance of the home market with fair profits to labor and capital employed. At the same time we recognize the necessity for securing foreign markets for our rapidly increasing surplus production beyond the demands of the home market.

We also recognize the fact that in a country of rapidly changing development and ever changing international commerce, no tariff law can be like "the law of the Medes and Persians which changeth not," but should be revised from time to time to adapt it to changing conditions, whether increasing or lowering the duties according to the needs of the times. Such changes, however, should be entrusted by the people only to the party which stands firmly by the principle of protection to home industry.

Very truly yours, JOHN A. KASSON

This was indeed the thunderbolt that aroused the Republicans of Iowa to the danger into which they had been led by the bitter factionalism, so that what might be called the "old line" party leaders were already far astray from the historic position of the party on the tariff. Not surprising at all, that Governor Cummins wrote to Mr. Kasson in approval of the criticism voiced by the experienced diplomat. Little did the governor know that he would be irresistably drawn into a third campaign for governor against all precedents and in violation of his own personal desire. But, he did have it in his mind that some time he would again be a candidate for the senate and seek to go where tariff policies are actually made. The governor had been given one added year to his second term by the legislative adoption of the biennial election plan. Despite the plain effort to sidestep the historic attitude of the Republicans toward the tariff, the state went strong for election of Col. Theodore Roosevelt. There were others who shared with Kasson and Cummins the chagrin over the Iowa departure, and in my files lies this letter from

the president of the Iowa commission to the St. Louis exposition:

WILLIAM LARRABEE TO ORA WILLIAMS

St. Louis, Mo., Iowa State building, June 18, 1904.

Ora Williams, Des Moines, Iowa.

Dear Sir: I have read the Kasson letter with much satisfaction. Among all the public men of the country, none were better equipped to outline a tariff policy, or to prepare a tariff schedule, than Kasson, Blaine, McKinley and Dingley.

It is unfortunate when the advice of such men is ignored and when congressmen fall under the selfish and vicious influences that always hover about our national capital.

People who only desire good government, and do not expect to share in the spoils of office, have only contempt for a clap-trap deception political platform. The early platforms of the Republican party make wholesome reading for the present day.

Yours truly, WM. LARRABEE

Then came the campaign of 1906, the most dramatic in all Iowa history. I had moved to Chicago and was editor of a daily paper. I learned at a dinner of the Chicago press club something of a meeting held in the office of the Pullman company by Iowa men responsible for the 1904 platform, which led me to return at once to Iowa. I commenced a vigorous campaign to compel Governor Cummins to be a third term candidate. But I was only one of many. Cummins was renominated and saved the party from complete wreckage. His friends controlled the resolutions committee. The tariff indicator was brought back to normal with this declaration:

We favor the reciprocity inaugurated by Blaine, advocated by McKinley and Roosevelt and recognized in Republican platforms and legislation.

Against open rebellion in his own party the governor was re-elected. I sat in a quiet nook of the state central committee offices and furnished the publicity. It is not my purpose here to write the story of that stirring chapter of Iowa political history. I am thinking now only of the strange story of Iowa and the tariff. Again I delve

into my files of forty years ago and find this letter which should be added:

JOHN A. KASSON TO ORA WILLIAMS

Washington, 1726 I street, Oct. 4th (1906)

Mr. Ora Williams.

My Dear Sir: I have yours of the Oct. 1 with Gov. Cummins' opening speech, and am much obliged for it. Its moderate tone is surprising under gross provocation. It is admirable and worthy of the governor.

I watched the canvass for the nomination with great interest and the governor won a splendid victory. I was glad to see that it was widely appreciated.

The article in *Review of Reviews* for September was very good. You can call the governor's attention to the third article of the Dingley tariff, which authorizes a large reduction in reciprocity upon a few special articles—wines, &c, upon which the administration is still acting to save our markets abroad with Spain and Hungary, &c. It proves that the Dingley tariff recognized the fact that some duties were needlessly high for purposes of protection, and could be safely reduced. It was a perpetual provision.

I am too weak to write fully upon the question as I would like to do.

I hope the Governor may win by a large majority, & that before I die I may see him a senator of the United States.

I am grieved to hear bad news of Allison's health.

Yours very truly, JOHN A. KASSON

The reference by Mr. Kasson to the *Review of Reviews* led to the library shelf, and there I found a volume of that admirable magazine which Dr. Albert Shaw, of Iowa, edited, and a splendid sketch of Governor Cummins, from the hand of his warm friend, Johnson Brigham, the then state librarian, in which was made the whole story of the fight for the reciprocity use of tariff schedules.

Mr. Kasson had his wish in living to welcome the governor to Washington where he became a senator. Mr. Kasson's activities had wide range—political manager, platform writer, postmaster general, furthering the postal union, member of congress, maker of reciprocity treaties, lecturer on diplomacy and historian of the constitution.



But his heart was always in carrying out fully and completely the tariff policy that he wrote into the platform on which his party rode to power.

#### KASSON FROM AN EDITOR'S VIEWPOINT

My letter files turn up one more item in this connection. It is manuscript of an article written by myself for and published in the *Omaha Bee* on October 13, 1901, when I was on the editorial staff of that excellent newspaper. This was a story about Kasson while he was yet active and gave the viewpoint of a reporter of his times. Here is one paragraph:

When Iowa selected delegates to the Republican national convention in 1860 so many wished to go that double the number of delegates were selected, and among them was John A. Kasson. He went to Chicago and was placed by the Iowa delegation on the committee on resolutions, and by that committee on the sub-committee to frame the platform. While serving on this sub-committee all night long he actually wrote the major portion of the platform and was credited by Horace Greeley, also a member of the committee, with being the real author of the platform on which Abraham Lincoln was elected president.

Mr. Kasson's interest in the tariff never failed. In the same article, written now forty-five years ago, reference was made to his work in the diplomatic field, and his work in congress, and then:

President McKinley was next to demand something of Mr. Kasson. He was appointed a special commission to negotiate reciprocity treaties with certain governments, especially the South and Central American nations, and he entered upon this duty with great hope. He did, indeed, secure the signing of several very important treaties, which provided for better trade relations in the interest of American consumers and dealers. But the senate failed to confirm these treaties and Mr. Kasson resigned his position in disgust, deeply regretting that his labors are for the present in vain.

Now that in this year 1946 there is an aroused interest in better trade relations and a new diplomacy to direct international affairs, this little story of a great American may have some value. The opportunity to bring together these scattered items is to the writer a reminder once again that the one grand royal job of a newspaper man

is that of reporter, a daily explorer in the jungles of an active civilization, a knight errant ever seeking new adventures and evaluating the activities of life, ever seeking and often finding the hidden gems of information, a volunteer liaison man between the few who do things and many who want to know about everything. Would that I had been a better reporter.

---

#### MISSISSIPPI NAVIGATION IN 1844

The Mississippi usually rises at this season of the year, but it is now quite low and reported to be falling. So, navigation will not in all probability be improved this season, which will be very unfortunate for the towns above the lower rapids, inasmuch as the boats on the upper river trade are chiefly engaged in the lead trade and are often too heavily loaded to take freight from points above the rapids. But a small portion of the upper country merchants have yet laid in their stock of fall and winter goods, which leaves the whole upper country in danger of suffering inconveniences incalculable should winter suddenly come upon us. Boats are now detained for some time in crossing the lower rapids, which retards the progress of navigation to such an extent as to leave the upper country always in danger of disappointment, which should prompt it to new and energetic exertions to procure an appropriation for the removal of obstructions at the rapids. An exhibit of the increase of trade on the upper Mississippi would not be without effect in inducing congress to provide for the improvement of the navigation of the river.—*Bloomington (Muscatine) Herald*, October 25, 1844.

---

#### KOSSUTH ASKED IOWA TO HELP CAUSE

Kossuth has written to Governor Hempstead of Iowa saying that he cannot visit that state, but advises him to form Hungarian associations for the purpose of raising "material aid."—*Western Democrat*, Bellevue, Iowa, March 17, 1852.

## IOWA MEASURES THE CENTURIES

### A RETROSPECT 2046 A. D.

Iowa folks are good celebrators. They were always that way. The holiday spirit is a morale builder. Speeches, songs, shouts and friendly hand clasps evince the joy of work and play, of life and love. That was why Iowa was stirred to a year of celebrations to mark the first centennial anniversary of statehood. The impetus of state pride felt by the pioneers in the formative years carries over and colors the advent of the third century. After all a century is only a tick of the clock in the workshop of the Master Builder of eternity. There are other long assembly lines that await our return for new lessons.

As the Iowans of the first century held their devotion to the undying principles of brotherhood in the noble work of home making, social advancement, cultural achievement, community building, and proper use of all the ingredients of modern world citizenship, so also will the coming generations take heed of the lessons of history and act wisely. The Iowa of the first century was a challenge to all that is best in the human race; the Iowa of the second century met the challenge with high spirit and forward face; the life of the future will be better for the life of the past.

History is an epitome of achievement. Iowa history was the theme of Iowa's first centennial celebration. Fortunate is it that there were watchers on the lookout towers, near the close of Iowa's first century of statehood, and as they rang the bells of rejoicing, the two and a half million people of the Hawkeye state responded happily with a year of events well calculated to accelerate history-mindedness and widen the civic horizon. What did they do in that 1946 centennial year? Record has been made and well kept.

Well in advance of the anniversary date, in fact in the early months of the year 1941, first step was taken by

passage of a resolution in the Forty-Ninth General Assembly, looking to timely preparation for a centennial celebration, by appointment of a committee to formulate a program, all of which was done. Out of this early step finally came organization of a Centennial committee, which ably and honorably directed various phases of the celebration. That committee organized just at the beginning of the centennial year functioned effectively in directing and assisting Iowa folks of 1946 to celebrate in ways well suited to the occasion.

Under the aegis of this Centennial committee every county of Iowa had some form of observance of the centennial year. County and local committees directed local events. Fairs and similar events were attuned to the centennial idea. Special celebrations were arranged by clubs and schools and churches. All avenues of publicity were opened for dissemination about the things of Iowa worth remembering. The newspapers were filled with stories of Iowa history. Many special historic editions were printed in which there was recounted the stories of heroism and good work of Iowa statemakers.

The radio and the cinema were utilized for publicity and to arouse interest in historic matters. The libraries made a valuable contribution. The educational system of the state joined in presenting to the young people a vast amount of material as to Iowa history. Women's clubs and other associations heard many speeches and lectures. National magazines became interested. The Iowa congressional delegation had a history day at the national capital. There were songs composed in honor of the anniversary. Colorful pageants featured many of the local celebrations. There were home comings and happy reunions. In almost every church there was some sort of recognition of the importance of Iowa history. The Centennial committee made record of 242 major celebrations and 386 minor events worthy of mention. Not least of these was a three-day revelry at the state capital,



and dedication of the annual State fair to commemorating the century of progress in industry and agriculture.

A commemorative postage stamp, bearing on its face an outline of the state and a picture of the Iowa banner, was issued and first placed on sale at the old territorial and first state capital, and of these there was issued one and a quarter millions.

A souvenir coin was minted authorized by an act of congress, a fifty-cent coin of which one-hundred thousand were sold by the committee. These went into the possession of Iowa people almost exclusively, and the profit in the transaction was dedicated to advancement of historical work and preservation by the state. Proceeds of a small part of this sum set aside to be a continuing fund, will give a proper start for the celebration of the second century of statehood.

Excerpts from the informative final report of the Iowa Centennial committee of 1946 reveal the spirit of Iowa people on that historic occasion:

An entire volume might be written and not do justice to our statewide centennial celebrations. Throughout the spring and summer and into the fall, Iowans celebrated the centennial from border to border with a joyous enthusiasm that knew no bounds. No single celebration could revive the Iowa of one hundred years ago. Only in hundreds of small celebrations could we do this. The committee initiated a wide publicity program designed to bring the centennial theme home to each community and arouse pride in its own beginnings, and in the men and women who founded it. Every community was urged to revive the memories of its founders who came by covered wagon, or on foot or on horseback, and create a celebration that would leave a deep imprint of its own local history upon its citizens.

By this plan thousands more were reached and made to feel they were a part of Iowa and its history than could possibly have been done by any central celebration or fair. The echoes of Iowa's rejoicing in its first century of progress have resounded across the land from ocean to ocean, and Iowa, through the pride of its own people has achieved new stature in the eyes of the world.

We Iowans have not one but a hundred motherlands. We came from far corners of the world to settle our broad rich prairies

and gentle purple hills. Our culture is a composite of freedom seeking people from the old world, shaped to the needs of the new world, and made strong and bold by fortunate environment. From river to river as the summer progressed, traditions of the old world and the new came to life and became community history in hundreds of celebrations as varied as the communities which planned them. . . .

The value of these celebrations cannot be stated in dollars and cents. They brought new appreciation of the state to its citizens, and instilled a depth and richness of community and state pride that no other program could have aroused. Iowa bought no glamorous central celebration for passersby to attend and forget, but reached down to the hearts of its people and turned an entire state, from border to border, into one vast celebration that retold the story of its origins and growth. For a single year, history became a part of our daily living. To the public spirited men and women of Iowa, the Committee bequeaths the rare privilege of nurturing and keeping strong and sound the pride in Iowa's past which came to life during the centennial year.

In retrospect, looking back from the year 2046 to the first centennial year 1946, a dreamer may well take just pride in what was done by Iowa people to commemorate the close of their first century of statehood. Iowa was then a glorious state, is now and will continue to be—first free state of the Louisiana purchase, a land devoted to liberty and progress, an empire of abundance.

---

### EARLY STEAMBOAT EXPLOSION

At about 4 o'clock on the morning of Friday last, a flue on one of the boilers of the steamer Polosi collapsed just as she was leaving the wharf at Quincy on her upward trip, mortally wounding N. P. Perring, brother to the captain of the ill-fated Moselle. He died the next afternoon. He has left a wife and six children to mourn his loss. A deck hand by the name of Miller being missing is supposed to have blown overboard and lost. Fifteen or eighteen others were more or less injured, but none very seriously. We have not heard to whom the blame is to be attached. She was towed down on the next day for repair, and will soon resume her trade.—*Bloomington* (Muscatine) *Herald*, October 4, 1844.

## HISTORY OF COAL MINING IN IOWA

The State Mine Inspector's bi-ennial report for the period ending December 31, 1945, contains some brief but interesting facts in connection with the history of coal mining in Iowa. The report says:

Coal is the principal mineral resource of the state, and its production has been one of the most important economic pursuits of Iowa residents.

Lieut. A. M. Lea, early Iowa explorer, while canoeing down the Des Moines river from the Raccoon fork one hundred and ten years ago (in 1835) discovered the presence of coal.

The earliest available statistical record of coal production in Iowa is given by the U. S. Census as 400 tons in 1840. It is reported that the earliest mine operations were in Jefferson county, and that Fairfield coal was hauled by wagon to blacksmiths in Mississippi river towns years before the railroads reached Iowa. In 1840 mines were opened near Farmington and Douds in Van Buren county, and near Jamestown in Scott county. These early mines had no rail connections, and their production was limited to the demands of local trade. Because of limited transportation facilities, small mines had little competition from more efficiently operated mines, or from mines producing better quality coal. A number of small mines were opened in the later 1840's, and in the years following in practically every county underlaid with coal, and as railroads extended their markets less profitable mines and those which had exhausted the supply of coal near the surface were abandoned. In the early days most of the operations were drift mines, although there were a few shallow shafts and strip pits.

The State Mine Inspectors office had its inception July 4, 1880—first Mine Inspector, Park C. Wilson, of Mahaska county. The first tour of inspection in Iowa mines commenced August 18, 1880. The State Mining Law amended July 4, 1886, provided for three mine inspectors—each inspector to have supervision over one district. R. T. Rhys of Ottumwa established an all-time inspector's record of 38 years.

The total number of fatal mine accidents since records were first kept 66 years ago has been 1,405, an average of 21-3322 annually. The first fatal accident on record was that of Wm. Jukes, an employee of the Whitebreast Coal Company in Lucas county, who was killed by a fall of slate July 22, 1880. The greatest catastrophe occurring in the annals of Iowa's coal mining happened January 24, 1902, at Lost Creek, in Mahaska county, when 20 miners were killed, and 14 injured by an explosion.

Largest number of fatal accidents in the Iowa mines in one year was in 1902, when there were 55. Lowest number was in 1945, when there were 4, an all-time low record. In the three year period, 1943-44-45, there were 14. In the previous three year period, 1940-41-42, there were 32.

The total tons of coal produced in the entire 66 year period has been 318,533,928. The peak year in Iowa coal production was in 1917, when 9,049,806 tons were produced. This was because of war conditions, which directed a great deal of coal produced in Illinois to eastern markets—thus leaving a larger territory to be supplied with Iowa coal. The smallest number of tons produced was in 1945, with only 2,071,648 tons—lower than in any year since records were first kept in 1880. This decline in coal production in 1945 was due mainly to the shortage of labor and trucking equipment. Many mines forced to close during the war will be re-opened.

The first county to reach the 1,000,000 ton mark was Mahaska county in the year 1895. This lead was maintained until 1901, when she was surpassed by Monroe and Polk counties. For the next quarter of a century Monroe county was the leading coal producing county. For several years its production was in the neighborhood of two and one-half million tons, a figure which has not been approached by any other county. Since that time production has dropped steadily, until in 1945 only 193,848 tons were produced.

There are 21 coal producing counties in the state. In the early eighties and nineties, coal was produced from one to four mines in Scott, Muscatine, Washington, Henry, Poweshiek, Marshall, Hardin, Story, Hamilton, Adair and Cass counties. In later years, two mines were opened in Decatur county but were soon abandoned.

The decline of the Iowa coal industry has left serious problems in its wake. In the good days here of the industry from 16,000 to 18,000 workers were employed in and around the mines. In recent years loss of employment has been due primarily to mechanization of mines, loss of sales of coal to railroads, competition of foreign coals, use of natural gas, oil and water power. Many mines were forced to close during World War II because of labor shortage and inability of the operators to secure trucking equipment. To expedite deliveries some coal operators employed two men on each truck during the winter months, and limited each customer to two tons of coal.

What will the future be? No one can say. The immediate outlook is for no great increase in production. Except as new industry may be added to the market and the house heating market increased, little advance can be foreseen. Perhaps in the next



decade when oil and gas reserves will approach exhaustion, and thinner veins of eastern coal are worked, the Iowa coal industry will again prosper. Many operators who were forced to close their mines during the war will reopen in 1946. Several other companies plan to sink new mines.

---

## NAVIGATION OF THE DES MOINES

The *St. Louis New Era* says: The steamer *Iola*, Captain Devinney, started from this city about three weeks since with a cargo of assorted merchandise for Fort Raccoon, some 300 miles up the Des Moines river, Iowa. The boat returned last evening, and we learn from her officers that they succeeded in reaching the Fort with less difficulty than was expected. Fort Raccoon is some distance higher up the river than any steamboat has ever gone before<sup>1</sup>, and the appearance of the *Iola* was hailed at Keosauqua, Fort Des Moines, Ottumwa, and a number of other points she passed as the harbinger of wealth and prosperity to that country. The *Iola* visited and discharged portions of her cargo at Fort Des Moines, Keosauqua, Ottumwa, Fort Raccoon and several other points above what has been heretofore considered the head of steamboat navigation.

Among her freight was a steam engine and machinery for a flouring mill which is being erected at Ottumwa. She also carried up some machinery for a steam sawmill which is in a state of completion at Keosauqua. Captain Devinney thinks he could have ascended 150 miles farther had not the river commenced falling and for fear of being detained he was compelled to return. From Fort Des Moines<sup>2</sup> to the mouth of the river, on his return, the soundings were never less than two feet in the channel, and the river was not considered very full.—*Bloomington* (Muscatine) *Herald*, July 19, 1844.

---

<sup>1</sup>One year previous to this, May 9, 1843, the *Agatha*, Captain J. M. Lafferty, landed at Raccoon Forks, bringing the soldiers under Captain Allen, when the fort was established.—Editor.

<sup>2</sup>The *New Era* reflects the uncertainty in the minds of the people at that time about the name of the fort. Raccoon Forks was the popular designation of the locality, and Captain Allen recommended the fort be called Fort Raccoon, but the war department ruled it should be Fort Des Moines.—Editor.

## HONOR JUDGE RICHARD F. MITCHELL

The Washington, D. C. Chapter of Interstate Commerce Commission Practitioners, held one of its most successful and best attended bi-monthly meetings on February 25 when Commissioner Richard F. Mitchell, of Ft. Dodge, Iowa, who succeeded the late Claude R. Porter, was the honored guest and speaker. All I. C. C. commissioners who were in the city on that date were present to honor their colleague who assumed his new duties on February 10. The large gathering which welcomed Commissioner Mitchell was representative of practically every line of transportation and traffic activity.

The luncheon program was conducted by Edward F. Lacey, chairman of the Washington chapter. Judge Mitchell was introduced to the assemblage by I. C. C. Chairman Clyde B. Aitchison, who just 40 years to the day qualified as a member of the Oregon state commission. He gave an interesting discourse on the part that the state of Iowa has played in the history of the Interstate Commerce act. The state of Iowa has been represented on the commission since its inception except for very brief periods. Chairman Aitchison was born in Iowa, but later moved to Oregon.

Judge Mitchell gave a brief, impromptu talk, in which he spoke of his experiences as chief justice of the supreme court of Iowa, and his belief in rendering decisions promptly. He asserted that he is greatly interested in the activities of the ICC, and is anticipating his new duties with great enthusiasm. He also mentioned his housing difficulties since arriving in Washington, but finally had found temporary quarters for him and his family, consisting of his wife and two daughters.

Following Commissioner Mitchell's talk, the group present arose and gave him a warm welcome of applause and appreciation.—*Interstate Commerce Commissioners' Journal*.

## REVERSALS IN LAND GRANT RULINGS

---

By JACOB E. REITZENSTEIN

"Withhold from sale all lands situated in the odd-numbered sections within five miles on each side of the Des Moines river, above Raccoon Forks." Thus read an order filed in Iowa City, under date of June 1, 1849. It was placed on record in the office of the registrar and receiver of the Iowa City land office. The directive came from the commissioner of the general land office.

Robert J. Walker, secretary of the treasury under Pres. James K. Polk, had received a firm protest from all of Iowa's national senators and representatives protesting against interpretations of the United States government grant that involved countless acres in the new state.

Commissioner Richard M. Young, of the general land office, had issued his interpretation in February 1848, and he had construed the so-called "Des Moines River Grant" to that Iowa was entitled to the "alternate sections within five miles of the Des Moines river, throughout the whole extent of the river, within the limits" of the Hawkeye commonwealth. Thus construed, the grant naturally included as state property the alternate sections above the Raccoon Forks.

About mid-June, that same year, however, a proclamation was issued, whereunder some of those very lands were thrown on the market for public sales. The Iowa board of public works protested to the general land office commissioner, and to the state land office, which was to conduct the proposed sale.

Iowa law-makers in the U. S. congress, who rebelled against the interpretation that permitted such sales, were Hon. William Thompson of Mt. Pleasant and Hon. Shepherd Leffler, of Burlington, both democratic leaders.

Both, too, had served in the Thirtieth and Thirty-first sessions at Washington, from 1847 to 1851, and Mr. Leff-

ler was in the Twenty-ninth (first for Iowa) session, from 1845 to 1847, during which Iowa had been honored with a successor to a mere "delegate." Actual statehood, of course, came in 1846.

During the 1848-1855 and 1848-1859 periods, respectively, Hon. Augustus C. Dodge and Hon. George W. Jones were the U. S. senators. Secretary Walker, however, held in 1849, that the grant extended the whole length of the Des Moines river, in Iowa.

Hon. Thomas Ewing, secretary of the interior, under Pres. Zachary Taylor, reversed Secretary Walker's opinion, however, in April, 1849. Mr. Ewing also ordered the lands in dispute to be withheld from the sales until congress clarified the verbal muddle, and the variously-interpreted grant became primer-like reading (although he didn't use that specific language, of course.)

Came then another appeal, the Iowa authorities sending it to President Taylor. The doughty general forthwith shifted the problem to Atty. Gen. Reverdy Johnson, who duly decreed: "The grant goes to the very mouth of the Des Moines."

Before the opinion reached print, however, President Taylor died. (July 9, 1850). Came Vice Pres. Millard Fillmore to the chair, and with him another reversal, in that his attorney general (the returned J. J. Crittenden) ruled that the Raccoon Forks boundary was the limit.

Secretary of the Interior A. H. H. Stuart agreed with Mr. Crittenden at first, but (exercising the right of women secretaries, and even presidents, to change one's mind), he ultimately reversed Mr. Crittenden and himself.

He permitted the case, however, to go to President Fillmore and the cabinet. Those august arbiters ended the protracted battle, by decreeing that the state of Iowa was right. Thus 271,572.24 acres above Raccoon Forks went on the market.—*Iowa City Press-Citizen*.



# ANNALS OF IOWA

---

## EDITORIAL DEPARTMENT

---

### IOWA'S LAST CIVIL WAR SOLDIER

And now the bronze Civil war soldier standing guard twenty-four hours a day on the granite pedestal on the county courthouse lawn has become the last Iowa soldier of the sixties. All the others have vanished! One by one they answered the last roll call and have gone to their reward, and none remain in all Hawkeyedom.

Iowa has done honor to those to whom honor was due. The majestic commonwealth for whom they poured out their life blood in the fighting at Pea Ridge, at Wilson's creek, at Shiloh and Donelson, at Vicksburg and Atlanta, and on Sherman's march through Georgia to the sea, has mourned these long years, and now is bereft of every one. Their deeds of valor and their individual acts of bravery still live in history, their sacrifices are cherished memories of countless descendants, and their graves kept green by loving hands of those who shall never forget.

Now we look to the stalwart figure of the Iowa soldier on the pedestal who holds his musket "at rest", or his sword in its sheath. Through him the community expressed its adoration and homage to those whom he represents. And he is the only person to whom noonday or night means not one single thing. But his vigil never ceases! In snow or rain, through clouds or in sunshine, or the darkness of night, he remains steadfast in silent testimony to the staying qualities and sacrifices made by the Iowa boys in blue who held together the fabric of the states and bore aloft the emblem of freedom for all mankind under the folds of which they followed to the southland, and loved to the end.

In the little town of Melcher, down in Marion county, just a while ago, after the turn of the year, occurred

the death of Robert A. Millen the last veteran of an Iowa regiment in the Civil war, then one of four Civil war veterans residing in this state, the remaining three having enlisted in other states. He would have been one hundred years old January 12, 1947, one day following his death. His enlistment was in Company A, 33rd Iowa Infantry, March 30, 1864, mustered April 20, 1864, at the age of 18, and served to the end of the war. His last years were peaceful in the home of a daughter and a son-in-law, Mr. and Mrs. Roy Wood, who had cared for him during the declining years since retirement from practice as a veterinarian.

So, the last survivor of the legion of men that Iowa recruited to help put down the Rebellion has rendered his account of service to the Great Commander of the universe, having "mustered out" with honor and credit as a soldier of his country and state. 76,242 Iowans were enlisted in the various arms of the service in the country's great struggle for human freedom in this nation, of which number 13,001 made the supreme sacrifice, a far greater percentage of Iowa casualties than in any other war in which the United States has participated.

Remember well, that men have died, this year, last year, a thousand years ago, for freedom. And always there were those who did not die; who in revulsion toward the bloody scenes, the pain and deprivations of the fight, cast out the hard-won grace of Liberty and soiled its name with greed for selfish gain. Men long ago set out on the paths which patriots have trod and reached the same inevitable end. Yet fitting, yea sweet, to die for one's own land.

While the official record is closed and the last Iowan engaged in the momentous struggle now gone, the state will long acknowledge and remember "the Boys in Blue," who responded to the ringing call of President Lincoln, who led with superb courage and endless patience in the

putting down of the Rebellion which, had it been successful, would have dismembered the nation and left human slavery in existence as a blot upon western civilization.

---

### FORESAW COMING OF CIVIL WAR

An Iowan who later distinguished himself in the service of his country, was among those who clearly discerned the coming of a Civil war in which the U. S. government dealt with rebellious states. William Thomas Clark, of Davenport, later a brigadier general, joined with N. H. Parker and J. K. Mills, both lawyers in establishing the *Davenport Daily Times* on September 1, 1858, but the newspaper suspended after a few weeks publication. Clark assisted in the enlistment and mustering in of troops after war was declared.

The 13th Iowa Infantry was mustered in October 1861, and almost immediately thereafter Clark was commissioned first lieutenant and adjutant. This regiment was included in the famous Crocker brigade, and saw early service at Shiloh and Pittsburgh Landing. Following the war in which Clark was frequently promoted and had attained the rank of brigadier general "for gallant and meritorious service," he returned to Davenport, but later was sent by General U. S. Grant to Mexico to have a part in the Maximilian affair.

After the close of his military career General Clark removed to Galveston, Texas, where he engaged in banking, and upon the readmission of the state was elected as a Republican to the Forty-first congress, serving from March 31, 1870, to May 13, 1872; became postmaster of Galveston June 19, 1872, serving as such until May 7, 1874. When in Davenport in later years Clark was quoted as saying that he considered the harbor of Galveston as his monument, as it was secured through his efforts in congress. He died in New York October 12, 1905 and with interment in Arlington National cemetery, Fort Myer, Virginia.

## CENTENARIANS "CARRY ON"

In a special ceremony conducted at his home at Sutherland, Iowa, held on April 3, 1947, ninety-nine year old Civil war veteran James P. Martin was installed as state commander of the Iowa Department of the Grand Army of the Republic, of which he now is the only surviving member. He enlisted in Company H, 1st Wisconsin Heavy Artillery.

The installation ceremonies were in charge of Miss Amy Noll, of Des Moines, daughter of a former state commander, and department secretary of the Iowa G.A.R., and members of other Sutherland patriotic organizations—the Women's Relief Corps, the American Legion, and the American Legion Auxilliary—together with many personal friends.

Seated in his home Commander Martin received the badge of his office from W. T. Alstrand of Fort Dodge, past department commander of the Sons of Union Veterans of the Civil War. Commander Martin will be one hundred in November next.

There is one other Civil war veteran still living in Iowa, but he retains his membership in the Ohio Department of the G.A.R. He is Ebeneser McMurray, aged 102, of Iowa City, and widely esteemed.

---

## HORSES AND WAGONS ON SIDEWALKS

What right have people to leave their horses and wagons on the sidewalks? We are indignant now, having been partially blinded a few minutes since by running against a wagon in the dark . . . . There is no propriety, no civility, no courtesy, and in fact no sense in having horses, wheelbarrows, store boxes, and miscellaneous goods blocking up the sidewalks of the city.—*Iowa Citizen*, Des Moines, January 12, 1858.



## BRAVE, VITAL, REVEALING WRITING

---

### MACKINLAY KANTOR'S AUTOBIOGRAPHY CHARACTERIZED AS ACHIEVING THE IMPOSSIBLE

*Sterling North in Atlanta Constitution*

BUT LOOK, THE MORN, by MacKinlay Kantor; Coward  
McCann. 308 pp. \$3.50.

Very few autobiographies are completely trustworthy. The art of self-appraisal is not only difficult, it is well-nigh impossible.

Few men have been sufficiently brave or balanced to be utterly objective in revealing their lives. The average human being has too much to hide. The "creative" memory is too undependable, too warped by subconscious motivations.

Historians have discovered that most autobiographers are notoriously careless about dates, places and other simple facts. They are prejudiced witnesses. They romanticize, dramatize, or simply lie in their teeth.

It is always astonishing, therefore, to come upon an autobiographer who is at least attempting to tell the truth. Kantor's "But Look, the Morn" has some of the electric quality which marked the opening chapters of H. G. Wells' "Experiment in Autobiography"—because like the Wells Memoir it apparently seeks to hide nothing. And there are several matters that Kantor might have wished to conceal, but openly confesses. For instance, the fact that his father was a thief, and a political conniver (in jail as often as he was out); a man who completely neglected his children and condemned his wife to years of drudgery.

Unlike Rousseau, Kantor is not masochistic about his confessions. He is not trying to shock his public. He is merely recording (sometimes painfully and repetitiously) what it was like to be a poverty-stricken, imaginative,

highly strung youngster in Webster City, Iowa, during the first decade and a half of the 20th century.

Here, on the one hand, is the pastoral of life in a small town where wolves had recently howled; picnics, parades, first love, the turning of the seasons and the dawning of ambition give this narrative a breath of Springtime.

On the other hand, small town bigotry, narrow cultural horizons, the constant embarrassment of extreme poverty, the maiming taunts of other children who knew MacKinlay's father was in jail, have left their scars upon the sensitive author.

This is a brave recital of a mother who brought up her son and daughter by doing any ill-paid menial job she was offered. One year working diligently she earned less than \$200. It was a red-letter day when she finally rose to \$9 a week clerking in a store. And the world was as rosy as it was to Browning's Pippa when Effie Kantor at last became a reporter on the local paper.

To this great-hearted mother, and to the town he so loved and hated, to veterans of the War Between the States pouring their stories into his ears, and to a few understanding friends Kantor traces his spiritual origins. Webster City, Iowa, wrought better than it knew in producing this American writer.

---

### FIRST BOXCAR BUILT IN IOWA

Richard Edmund Smith came to Keokuk, Iowa, in 1855 and later became assistant superintendent of the Des Moines Valley railroad, occupying that position for sixteen years. He constructed the first freight car ever built in the state, the work being done under a spreading tree, as that was before any shops were constructed or available.—*Biographical Review of Lee County*; pp. 216-18.

## NOTABLE DEATHS

---

ROBERT WRIGHT STEWART, lawyer, soldier, oil executive, died at Miami, Florida, February 24, 1947; born on a farm near Cedar Rapids, Iowa, March 11, 1867; attended Coe College and Yale University, from which he was graduated in law; became a member of the board of trustees of Coe and its benefactor in 1931 by donating the funds for erection of its newest and finest building, the Stewart Memorial library; first entered the practice of law at Pierre, South Dakota, quickly becoming a leading attorney in the northwest; served as county attorney, then in the South Dakota senate from 1893 to 1898; later represented the Standard Oil, International Harvester and the Chicago and Northwestern railway in important litigation in that region; became a major in the famed Third United States volunteer "Rough Riders" cavalry in the Spanish-American war and later was commissioned a colonel in the South Dakota national guard; in 1907 became general attorney for the Standard Oil company of Indiana at Chicago; in 1914 was elevated to general counsel and a year later became a member of the board of directors; helped to shape its expansion policies, espousing a "straightforward" attitude of executives toward the public and employees; was elevated to chairman of the board, and under his administration Standard Oil grew from a \$167,000,000 corporation to a one billion dollar concern; espoused an industrial relations plan whereby employees were given a voice in setting wages, hours and working conditions, which he considered one of his proudest contributions to industrialism; also was proud of his five-year employee's stock-purchasing scheme and at the end of which in 1926, some 339,000 shares of stock valued at \$26,500,000 were turned over to 17,000 employees.

But he was defeated in a sensational battle for control of the oil company by John D. Rockefeller, jr., in 1929, after the U. S. senate investigation in 1928 of the Teapot Dome and other oil lease scandals brought on Rockefeller's fight to remove Stewart in which Rockefeller gained control of large blocks of stock controlled by eastern capital thus achieving the ouster; and while in the oil scandals, Stewart's own senate testimony resulted in his being tried twice, first for contempt and then for perjury, in each case he was acquitted.

Mr. Stewart served as chairman of the board of directors of Standard Oil of Indiana from 1918 until 1929. In addition to his affiliation with Standard Oil, he also was an executive of the Fulton Fire Insurance Co. of New York and a trustee of the National City bank of New York and the Continental Illinois Bank and Trust Co. of Chicago. He is survived by his widow, Mrs.

Maude Stewart of Chicago, and four sons, James W. Stewart, Miami Beach; R. G. Stewart, Mexico, Mo.; Donald Stewart, Havana, and Jack Stewart, Greenwich, Conn. The ashes of the deceased were flown to Cedar Rapids for interment near his birthplace.

---

JOHN BRIAR, editor and official, died February 25, 1947, at his home in Wellington Villa, Alexandria, Virginia; born in Mount Pleasant, Westmoreland county, Pennsylvania, December 15, 1861, son of John and Elizabeth Briar; came to Iowa following the close of the Civil war, the family locating at Talleyrand, in Keokuk county; learned the butter making trade at Elwood in Clinton county and in 1882 went to Estline, South Dakota, where he built and operated the first creamery in that state; engaged also in buying and shipping draft horses from Iowa to South Dakota; removed to Des Moines in 1886 and was employed first by the J. W. Hill Nursery company; went with a chum, Vernon C. Reed, to Denver and then to Colorado Springs, where they operated a livery business; selling his half interest in the business to Reed, who later became very wealthy and died about ten years ago reputed to be worth sixty-five million dollars, Briar returned to Iowa in 1890 and started publishing the *Blockton Buzzsaw*, which he afterwards sold and came to Des Moines, becoming publisher of the *Des Moines Graphic*, a sensational Saturday weekly publication with a large street sale, which he edited several years, later becoming a reporter upon the *Iowa State Register*.

For some time Mr. Briar was the Iowa correspondent of the *Chicago Tribune*, but perhaps his most noteworthy newspaper work was upon the *Des Moines Capital* during the years prior to 1902 under the Lafayette Young ownership, becoming city editor and later an editorial writer; a supporter of the candidacies of Albert B. Cummins of Des Moines, for United States senator and then for governor, he became Governor Cummins private secretary from 1902 to 1908, and accompanied the latter to Washington when he was elected United States senator, serving him there as secretary for many years; purchased a tract of land favorable for platting and realized a handsome profit in its sale; became commissioner of War Mineral Relief, Department of Interior, in 1921 and served in that position until 1933.

Mr. Briar was married twice, first in Des Moines to Zoe McPheeters, who died in Des Moines September 6, 1906, prior to his leaving Iowa, they having no children; the second time to Florence Stowe, of Washington, who survives him, with a son, John Briar III, a grandson, John Briar IV, a grand daughter, Suzanne Briar, all of Wellington Villa, and a brother, Roy Briar, of Des Moines.



CALVIN G. GREENE, organizer and industrialist, died at Cedar Rapids, Iowa, February 25, 1947; born February 18, 1856, in the Greene hotel, Cedar Rapids, erected by his father Judge George Greene, widely known as the "father of Cedar Rapids;" educated in the local schools and attended Parsons seminary in the Wadsworth block, where the Illinois Central freight depot now stands; also attended the Edwards Place school at Stockbridge, Mass., and the Cedar Rapids Collegiate Institute, the forerunner of Coe college; as a student at Princeton university became a member of that institution's first scientific expedition to Colorado in 1877, Greene going as a boanist.

After Judge Green's death in 1880 Calvin took over the industrial and property interests of the elder Greene, completing the construction of the opera house and continued the building of the Cedar Rapids and Marion railway; became president of the city street car lines in 1881, constructing the extensions to the packing-house, Oak Hill cemetery and the west side and organizing the Cedar Rapids Electric light company; was associated in the promotion of the Iowa state fair which was held in Cedar Rapids several years; a member of Coe college board of trustees more than fifty years and helped organize and build the Cedar Rapids and Chicago railway; always active in the Chamber of Commerce and its president at one time, and was the first president of the Linn County Historical association; assisted in organizing the Y. M. C. A. and in securing the location of the Grand Lodge Masonic library, the largest in the world; and with his death is left his brother, Frank, as the only immediate descendant of Judge Greene, who served in the Spanish-American war and is now a structural engineer residing at Birmingham, Alabama.

---

PHILLIP F. ROAN, lawyer, soldier and legislator, died February 22, 1947, at Fort Madison, Iowa; born in Linn county, Missouri in 1895; removed with his parents to Iowa one year later; educated in the Fort Madison schools, the University of Michigan, and a graduate of the University of Detroit law school, where he was also awarded a master's degree; served in France with French army in 1916 and 1917, and the American army tank corps, company A, 2nd battalion in 1918 and 1919; married Elinor Smith of Scranton, Pennsylvania, June 23, 1928, who survives as do also two children, Francis and Rosaline; served three terms in the Iowa House of Representatives, 1935-1939; and at the time of death was a member of the board of supervisors of Lee county, Iowa, and of the American bar association, the American Legion and the Catholic church.

DAVID LENOX, SR., inventor and industrialist, died at Marshalltown, Iowa, February 14, 1947; born in Detroit, Michigan, April 15, 1856; left an orphan at the age of seven when his father was killed in action in the civil war; learned to be a machinist in Chicago's then young industries as a boy and came to Marshalltown in 1880 with merely a bag of tools; with his brother, Talbot, actually even more of an inventor than David, started out in business together, operating a little machine shop at Marshalltown, their first big enterprise being the trowel, which they turned over to the Williams Brothers; then came the throatless metal shear, pumps, electrical engines and other equipment which they sold to Ryerson Brothers, now a big Chicago, Ill., machine works; his biggest invention a pump which later also went to Ryersons; helped on many of the other inventions, but after he and Talbot got started, David's role was chiefly that of the business man, the Lenox inventions becoming the foundation of what is now the Marshalltown Manufacturing Co. In addition to their mechanical genius, these men had a lot to do with the development of the Cooper, Fisher and Dunham industries; helped to perfect the Lennox furnace and gave the company his name, selling out forty years ago to the present owners. Mrs. Lenox died in 1912, the year he retired from active business. Survivors include a daughter, Mrs. R. E. Keyser, Marshalltown, and a son, David, jr., Denver, Colo.

---

FRED DURBIN, banker and legislator, died at Malvern, Iowa, December 14, 1946; born at a farm home near Emerson, Mills county, Iowa, May 31, 1876, son of Joshua and Almira Durbin, who came to the county from eastern Iowa four years previous in a covered wagon, which they continued as their residence until a new house could be erected for them to occupy; educated in the schools of the vicinity; graduated from Western Normal college at Shenandoah in 1896, later attending the State University of Iowa and graduated in 1898 from the law school; entered the banking business at Malvern in 1899, and assisted in organizing the Malvern National bank, serving successively as cashier and president, the institution changing its organization in 1920 into the Malvern Trust & Savings bank, and he continued as its president until 1946, when he retired as an officer but continued as a director; married Mary Christy November 27, 1901, and they had one daughter, Dorothy, now Mrs. Leo Hoefer, of Omaha, Nebraska; elected in 1917 as state representative from Mills county and re-elected in 1919; maintained an interest in farming his entire life, as well as active in civic and community affairs; a member of the Masonic bodies, the Methodist church and a Republican; suffered a stroke about eleven years prior to his death, though continued to look after business affairs until the past year.

WARD BARNES, newspaper publisher, died at Iowa City, Iowa, March 15, 1947; born on a farm near Fedora, South Dakota, December 4, 1883; came to Iowa when he was thirteen years of age, at the time his father, A. H. Barnes, purchased the Eagle Grove Eagle, the family moving there in 1896; graduated from the Eagle Grove high school in 1902; spent a year in the printing office and then entered the State University of Iowa graduating in 1907; taught English and public speaking at Burlington High school and at Washington High school at Cedar Rapids; bought a half interest in the Eagle newspaper in 1909, and became the sole owner in 1918; married Maude Morford of Iowa City in 1909; consolidated the papers at Eagle Grove in 1927; took in as a partner in the publishing business Maurice B. Crabbe in 1934, when his father retired from editorial work upon the paper, and in 1940 died at the age of ninety-two; served as president of the Eagle Grove Chamber of Commerce, president of the Rotary club, a member of the Wright county Republican committee, on the board of directors of the Security Savings bank, and master of the Masonic lodge; became president of the Iowa press association and the National editorial association; a winner of the 1938 "master editor" award of the Iowa Press association; was active in politics serving as campaign manager for Gov. Robt. D. Blue; in 1940 was an Iowa delegate to the national Republican convention in Philadelphia; besides his wife and a brother Solon, is survived by two children, Mrs. Mary Baxter of Middleton, Ohio, and Arthur Barnes, professor of journalism at the State University of Iowa.

---

COMFORT HARVEY VAN LAW, attorney and legislator, died at Marshalltown, Iowa, April 20, 1947; born on a farm in Keokuk county, near Tilton, Iowa, July 19, 1869, a son of Catherine and Robert Van Law; educated in the rural schools, and his family lived for a time at Brooklyn, Iowa; at the age of eighteen he was teaching school and continued until he began to read law in 1892 in the office of Maj. John F. Lacey of Oskaloosa; attended the old Oskaloosa college and in the fall of 1893 entered the State University of Iowa and graduated in 1896, receiving his M. A. degree the following year and was admitted to the bar in October 1897; opened a law office in Marshalltown in 1898, practicing there as an attorney for forty-eight years; married Alice Luscombe at Iowa City August 2, 1898, Mrs. Van Law dying in January 1933; served as city attorney from 1901 to 1905; served as state senator 1908 to 1912 in the Thirty-third and Thirty-fourth General Assemblies; active always in community and church affairs, serving as chairman of the official board of the Marshalltown Christian church for more than thirty years and often filled the pulpit as a lay speaker when the church was temporarily without a pastor; survived by a

son, Ted, an electrical engineer with the Southern California Edison company at Los Angeles, and a daughter, Mrs. Gilbert Blue, the former Alice Van Law, who has been prominent in Marshalltown as a teacher and secretary of the Y. W. C. A.

---

GEORGE M. TITUS, lawyer and legislator, died at Muscatine, Iowa, April 9, 1947; born in Cayuga county, New York, May 19, 1856; moved with his parents to Michigan when eleven years old and attended school there, the family later moving to Iowa where he attended the Baptist college at Wilton, in the meantime started teaching school at the age of fifteen, and continued for seven years; undertook the study of law in 1876 in the office of A. N. VanCamp at Wilton; later studied in the office of Allen Broomhall and was admitted to the bar in 1880; associated in law partnership with DeWitt C. Richman until 1886 and then joined with D. V. Jackson in forming the firm of Titus & Jackson which continued until Mr. Jackson's election as district judge; served as state senator from Muscatine county in the Twenty-seventh and Twenty-eight General Assemblies; author of the Titus amendment to the Iowa constitution which changed from annual to biennial elections; also author of the legislation establishing the state library commission; active in state and local civic affairs and at time of his death was president of the P. M. Musser library, a position he had held since 1901; president of the Titus Loan & Investment company and a past president of the Iowa Pioneer Lawmakers' association; married June 1, 1881, in Muscatine to Ella Broomhall, who died May 5, 1907; again married October 10, 1909 to Hannah Jefferson Hutchinson, who also preceded him in death, those surviving being one son, G. Raymond Titus, of Muscatine, and a daughter, Miss Harriett Titus, of Red Oak, Iowa.

---

JOHN T. HANSEN, farmer and legislator, died at his farm home in Sheridan township, Scott county, Iowa, March 15, 1947; born in Davenport, Iowa, November 28, 1858; son of Margaret and Henry Hansen who came to Iowa from Germany in 1851; educated in the rural schools of the county; learned the blacksmith trade, but went to farming when he became of age; married to Emma Harst of Scott county, March 12, 1887, who died October 6, 1897, leaving four children, two girls and two boys, both the latter having served in the U. S. armed forces in World War I; served upon the board of education in Sheridan township, as justice of the peace and as vice president of the Scott county farm bureau; a member of the Iowa House of Representatives for sixteen years from 1916 to 1932; a member of the Woodmen of the World and a Republican.



CARRIE CHAPMAN CATT, pioneer suffragist, died at her home in New Rochelle, New York, March 9, 1947; born Carrie Lane in Ripon, Wisconsin, January 9, 1859; attended Iowa State college at Ames, Iowa, becoming the advocate of and obtaining physical education instruction for women students; read law in 1880 and a year later became principal of the high school at Mason City, Iowa; two years later was made the city's first woman superintendent of schools; married Leo Chapman, editor of the *Mason City Republican* in 1884, who died two years following; became active and prominent in the state suffrage association as a delegate from Mason City to the state convention; as a widow at the age of twenty-seven went to work on a San Francisco, California, commercial paper, but in 1887 returned to Iowa as an organizer for the Iowa Woman Suffrage association; served as president of the National American Woman Suffrage association from 1900 to 1904, succeeding Susan B. Anthony; again in 1915 became president and continued in that position until the end of the campaign to obtain the vote for American women in 1920; founded the National League of Women Voters in 1919 to help women vote intelligently and served as its honorary president until her death; married George William Catt, a civil engineer, in Seattle, Washington, in 1890, who died in 1905, and is survived by two nephews, Clarence Lane of Riverside, California, and Warren Lane of Charles City, Iowa.

---

H. B. HOUGH, livestock dealer and legislator, died at Oelwein, Iowa, February 26, 1947; born on a farm between Fairbank and Oelwein, August 12, 1868, the son of Benjamin and Jane Codling Hough; resided for thirty-three years in Oelwein and all his life in that vicinity; educated in the public schools; married in 1891 to Esther Kelso of Corydon, Iowa; engaged in stock buying and farming nearly his entire life; served in the Iowa House of Representatives in the Forty-fifth General Assembly; survived by his wife and daughter, Mrs. Richard Bernhart, and a brother, Fred Hough, all of Oelwein.





